JPRS 79922

22 January 1982

East Europe Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

No. 1964

FBIS FOREIGN BROADCAST INFORMATION SERVICE

NOTE

JPRS publications contain information primarily from foreign newspapers, periodicals and books, but also from news agency transmissions and broadcasts. Materials from foreign-language sources are translated; those from English-language sources are transcribed or reprinted, with the original phrasing and other characteristics retained.

Headlines, editorial reports, and material enclosed in brackets [] are supplied by JPRS. Processing indicators such as [Text] or [Excerpt] in the first line of each item, or following the last line of a brief, indicate how the original information was processed. Where no processing indicator is given, the information was summarized or extracted.

Unfamiliar names rendered phonetically or transliterated are enclosed in parentheses. Words or names preceded by a question mark and enclosed in parentheses were not clear in the original but have been supplied as appropriate in context. Other unattributed parenthetical notes within the body of an item originate with the source. Times within items are as given by source.

The contents of this publication in no way represent the policies, views or attitudes of the U.S. Government.

PROCUREMENT OF PUBLICATIONS

JPRS publications may be ordered from the National Technical Information Service, Springfield, Virginia 22161. In ordering, it is recommended that the JPRS number, title, date and author, if applicable, of publication be cited.

Current JPRS publications are announced in Government Reports Announcements issued semi-monthly by the National Technical Information Service, and are listed in the Monthly Catalog of U.S. Government Publications issued by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Correspondence pertaining to matters other than procurement may be addressed to Joint Publications Research Service, 1000 North Glebe Road, Arlington, Virginia 22201.

JPRS 79922

22 January 1982

EAST EUROPE REPORT

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

No. 1964

CONTENTS

ALBANIA

Ignorance of Law Called Responsible for Violations
(Aranit Cela; ZERI I POPULLIT, 11 Dec 81)..... 1

GERMAN DEMOCRATIC REPUBLIC

U.S. Use of Counterfeiting Against Socialist Countries Alleged
(Julius Mader; OSTSEE-ZEITUNG, 9 Dec 81)..... 4

Rigors of Parachute Training Described
(Hartmut Buch; FLIEGER-REVUE, Nov 81)..... 8

POLAND

Swedish Paper Compiles List of Interned Persons
(Peter Johnsson; DAGENS NYHETER, 23 Dec 81)..... 13

Composition of Military Council for National Salvation Published
(TRYBUNA LUDU, 14 Dec 81)..... 20

Council of State Resolution on Ushering in State of War Published
(TRYBUNA LUDU, 14 Dec 81)..... 22

Draft of Intraparty Work Program in Poznan Voivodship Published
(GAZETA POZNANSKA, 21 Oct 81)..... 24

Military Agricultural Production, Development Outlined
(ZOLNIERZ WOLNOSCI, 1 Dec 81)..... 35

ROMANIA

Ceausescu Hailed for Courage, Honesty of Plenum Speech
(Adrian Paunescu; FLACARA, 3 Dec 81)..... 38

National Unity Said To Transcend 'State Pluralism'
(Florin Constantinu; ERA SOCIALISTA, 5 Oct 81)..... 42

RFE Interview With Virgil Tanase Discussed
(Vasile Baran; ROMANIA LITERARA, 24 Dec 81)..... 49

Writer Upset by Criticism of Anonymous Caller
(Ion Aurel Stoica; TRIBUNA, 10 Dec 81)..... 52

New Customs Regulations Approved, Published
(BULETINUL OFICIAL, 27 Nov 81)..... 54

YUGOSLAVIA

Changes in Opstina LC Organization in Macedonia
(Dragan Nikolic; BORBA, 3 Dec 81)..... 137

New LC Organization in Vojvodina Opstinas
(Marija Zvekic Miskolci Interview; BORBA, 3 Dec 81)..... 140

Prima Donna Munitic Reminisces About Late President
(Editorial Report)..... 144

Historian Dedijer Is Attacked, Defends Self
(SVIJET, 16 Nov 81, ILUSTROVANA POLITIKA, 8 Dec 81)..... 145

Critical Commentary, Editorial by Zlatko Dizdarevic
Discussion in Subotica, by Stevan Zec

Persons Amnestied, Given Reduced Sentences
(SLUZBENI LIST SFRJ, 4 Dec 81)..... 153

IGNORANCE OF LAW CALLED RESPONSIBLE FOR VIOLATIONS

Tirana ZERI I POPULLIT in Albanian 11 Dec 81 p 2

[Article by Aranit Cela, chairman of the Supreme Court: "The Laws of the State Should Be Known Better and Better by the Working Masses"]

[Excerpts] At the 8th party congress Comrade Enver stressed that the knowledge and implementation of the laws is a decisive condition for the activity of the state organs and of the masses of people to develop on the straight road and to be successful. It is precisely the great care of the party and its correct line which have made Albania a state with a strong juridical system, where this state organ is obliged to execute the laws of the state and every citizen is certain that no one will violate his rights. There is no country, no state in the world which has such a strong juridical system, where the laws of the state express the will of the working class and of the other working masses, where the laws are executed with full force, in everyday life.

In our country, a healthy situation exists in the juridical system in the implementation of our socialist legislation. But we cannot forget that as long as the imperialist-revisionist blackmail and encirclement exists, there is also the danger of degeneration in this direction. For this reason, continuing educational work and preventive actions are necessary for the precise implementation of the laws. There are cases of violations of the laws; sometimes, there are incorrect attitudes in regard to the implementation of legal norms, often resulting from lack of knowledge of the law, but sometimes also resulting from lack of juridical awareness and other things. Violations of the laws are found, in particular, in the area of the protection and handling of socialist property, in labor discipline and in the execution of contracts. These manifestations have been combated and should be combated severely. The organs of the judiciary and of the public prosecutor should react more strongly against any manifestation of illegality, especially by detecting violations and taking measures for their prevention. The organs of state government, appointed and elected persons must carry on a better struggle in this area and, in particular, the internal control organs should do better work. It is important to impress upon every person that no violation should remain undetected, without any stand being taken against it. This is achieved, among other things, by strengthening demands for accountability and increasing the sense of responsibility of each worker and organ.

The most important problem continues to be the knowledge of the laws by all state organs and by the working masses. In Albania, as Comrade Enver teaches us, every person should know the laws; this should be the main principle in the juridical field and the main political and ideological principle.

The government organs and the mass organizations, under the leadership of the party organizations in the districts and at the grassroots, have been more concerned with propagandizing the laws recently. Improvements have been made in the area of the collaboration of organs of the courts and the public prosecutor, and the internal affairs organs with those of the government and the mass organizations. Nevertheless, more must be done in this field. The quality of the work of the organs of justice in the field of propaganda and in the area of prevention, in general, should be improved, while constantly combating manifestations of formalism which are noted from time to time. For example, legal propaganda should be more vital; it should not be carried out through stereotyped lectures, but should take into consideration the concrete conditions and needs of the specific enterprise, agricultural cooperative, institution, sector or brigade where the discussion is being held.

Better work must be done to activate the great armies of assistant judges and people's prosecutors, whose main duty is to propagandize the laws and to be the first barricade against any manifestation of violation of the laws. They are everywhere in the enterprises, institutions, sectors and agricultural cooperatives. Their role in the area of the defense of socialist legality should be further increased. Good work has been done in Sarande and Pogradec districts by the courts in the villages and the city sectors for increasing political and juridical awareness. The district courts and the prosecutors offices should give more attention to the preparation of these organisms so that they will carry out their role as they should.

The government organs, especially the executive committees of the people's councils in the districts and in the grassroots, should do a better job in organizing and coordinating this legal propaganda work. The government organs in Korce, Berat, Fier, Tirana and other districts have given a good example in this area.

We believe that work must be improved in the future by setting up organizational forms which will ensure a continuing propaganda activity, not one which is carried out only when trouble occurs and when there are requests from higher authorities; not only a few cadres or organs in the districts, as happens in many cases, should be concerned with this work. Every organ or mass organization should be engaged in propagandizing the laws according to its area of responsibility. Above all, the section chief, the enterprise director, the chief engineer, the engineer, the brigade leader, the trade union organizations and the other social organizations, wherever they operate, should also be concerned with this work.

The profit is great. If the workers are informed about laws and regulations, if they are held accountable, and if there is continual monitoring of the implementation of the laws, the workers will learn state and proletarian discipline; it will have an influence on their general political, ideological and cultural development and, to a great extent, will make it impossible for elements with evil intentions to damage the interests of the state and of the dictatorship of the proletariat. The struggle against violations of the law, and, in particular, the struggle to prevent these violations, requires organization, coordination and broad cooperation of all state organs and social organizations, under the leadership of the party organs and organizations.

CSO: 2100/36

U.S. USE OF COUNTERFEITING AGAINST SOCIALIST COUNTRIES ALLEGED

Rostock OSTSEE-ZEITUNG in German 9 Dec 81 p 4

[Exclusive Report for OSTSEE-ZEITUNG' by Dr Julius Mader: "Counterfeit Money as a Weapon of the USA — Behind the Headlines: Imperial Power Politics in the Gangster Manner -- Unscrupulous Breach of International Law — Insidious Methods of Counterrevolution"]

[Text] Soon to be published by the GDR Cultural League's Berlin District Committee of Numismatics Experts is the "1981 Yearbook of the Panel on Bank Notes and Securities." Included in the handbook is documentation on "Bank Notes as a Paper Weapon in the Counterrevolution." Its author wrote for our newspaper an exclusive prepublication article on this interesting and previously little-explored subject.

Official Government Counterfeiters

Since the end of World War II, the Pentagon and the clandestine U.S. CIA — official Washington institutions, in other words — have carried out counterfeiting operations in at least 10 instances. Just between 1948 and 1973, their operations were conducted in and/or against as many as nine states and their people in Europe, Asia and Latin America. It is significant that among them are six socialist states on three continents.

Moreover, most of these criminal acts — which were aimed at devaluing the legal national currency in circulation, undermining confidence in the validity, the legal validity, of foreign currencies and subverting and destabilizing the economies involved — were summed up and authenticated in detail in the telling documentary entitled "Air-Dropped Propaganda Currency" by R.G. Auckland, British publisher of FALLING LEAF, the journal of the Psywar Society (Psychological War Society, Gesellschaft fuer psychologische Kriegsfuehrung). The article mentions the following organizations as the principal producers and distributors of counterfeit currency: Munich's Radio Free Europe (RFE), the special psychological diversion organ controlled and financed by the CIA; NTS, the Paris-based band of counterrevolutionary Russian emigrants; New York's ominous "Crusade for Freedom"; and Cuban desperadoes in the North American state of Florida. The U.S. Army and Air Force have also unscrupulously breached international law many times with their counterfeiting operations. Gaining notice here were the "Psychological Warfare Section, First Radio

Broadcasting and Leaflet Group" of the Eighth U.S. Army (Korean EUSAK Code 8129 -- Eighth U.S. Army in Korea), the "Army Psychological Warfare Branch" in Saigon and the Seventh Psywar Unit on Taiwan. Noted generals like D. MacArthur, M. Ridgway, M. Clark and V. Walters have gone down in recent history as organizers of counterfeiting activity.

As early as 1948, U.S. "security advisers" ordered counterfeit 2-peso notes made in the United States to be scattered from aircraft over Philippine territories controlled by the national liberation army (the Hukbalahap); this action was designed to demoralize the patriots. In the course of its military intervention against the Democratic People's Republic of Korea [DPRK], the U.S. Air Force dropped tons of counterfeit 100-won notes over the DPRK in the early 1950's. In the middle of July 1953, the RFE carried out its secret "PROSPERO" operation directed against the CSR: Thousands of gas-filled balloons launched from FRG territory and equipped with automatic jettison devices carried counterfeit 1-koruna bank notes (Kc's) over the territory of the CSR. As psychological "assistance" for the terrorists who had been infiltrated into the GDR, counterfeit GDR 20-mark bank notes of the time and fake 10-ruble and 25-ruble notes were also launched for the CIA from FRG and West Berlin soil when easterly wind conditions were favorable. Each of the balloons carried 300 kg of counterfeit money.

"Paper Weapon" of "Clandestine Army"

Right after the victory of the revolution in Cuba, antisocialist elements in Florida joined with the mafia -- as was later discovered and proven by the well-known counterfeiting expert Murray Teigh Bloom, author of "Counterfeiting in America" -- and set about producing counterfeit peso notes in grand style under the patronage of the CIA. As early as its military intervention in Cuba's Bay of Pigs, this "clandestine army" of the CIA carried in its initial landing craft hundreds of pounds of its "paper weapon" in watertight rubber sacks. Attempts had been made for years before that to have frogmen carry the counterfeit bills through Cuba's territorial waters into the country and into the hands of their people there.

In 1965 it was Pentagon experts who, along with their puppet-general Nguyen Khanh in Saigon, directed counterfeit 5-dong notes -- and even 1000-dong fakes in 1967 -- against the National Front for the Liberation (NFL) of South Vietnam with the intention of subverting patriotic organizations. In the middle of August 1966, U.S. Air Force bombers dropped 1.6 million imitation 1-dong notes over the Democratic Republic of Vietnam [DRV]. With the barbaric escalation of its aggression in Indochina, the United States also raised its criminal counterfeiting activities to new dimensions: From August to October 1972, large amounts of fake 1-, 2- and 5-dong pieces of DRV currency were dropped from aircraft over the densely populated provinces of the DRV; in an abuse of Japanese territory, the U.S. Army had set up wholesale production of the money on Taiwan. Masumoto Denme, a Japanese communist and parliamentarian, alerted the Foreign Policy Committee of Tokyo's Lower House to this gangster operation, which also met with international condemnation in October of the same year in Copenhagen on the occasion of the third session of the International Commission for the Investigation of U.S. Crimes in Indochina.

As part of its "CHUTAUKO" coup d'etat plan in 1973, the CIA made active use of counterfeit escudos against the popular Unidad Popular government of Dr Salvador

Allende in Chile. Shortly after the coup, Hortensia Bussi de Allende, the murdered president's widow who was still privy to official business, made this statement on the affair from exile in Mexico: "For example, counterfeit Chilean bank notes were produced in the United States and put into circulation in Chile. Our country was literally flooded with them. This was supposed to fuel inflation!" After the coup, the United States was quick to remove all traces of evidence of the criminal counterfeiting activity carried out by its intelligence agency: All paper escudos were withdrawn from circulation by dictator Pinochet under the threat of draconian punishment.

Apt Pupils of Nazi Germany

The historical, ideological and organizational roots of U.S. counterfeiting activity are to be found directly in Nazi Germany, since Himmler's "Security Service (SD)" had counterfeited large quantities of pound sterling, dollar, ruble, zloty and Yugoslavian dinar notes during World War II. When Matthew Bunker Ridgway landed in Sicily in the 1940's as commanding general of the U.S. 82nd Airborne Division, his troops were "bombarded" by Hitler's Wehrmacht with fake 1, 2, and 10 dollar bills. Ridgway showed himself to be an obviously apt pupil, for as commander of the U.S. interventionists against the Democratic People's Republic of Korea, he used this perfidious weapon in the early 1950's against the Koreans and the Chinese. As commander of U.S. occupation forces in Austria in 1945, General Mark Clark, LLD, launched a feverish search in the "alpine fortress" for the remnants of the SD's "Bernhard" counterfeiting operation. After May 1952 in Seoul, this same doctor of laws, as commander of U.S. Forces in Korea, ordered up the 6027-9027 series of counterfeit won notes.

The head of the "Bernhard" counterfeiting project had been Walter Schellenberg, SS brigade commander, major-general in the Nazi police force and director of the SD's Foreign Intelligence Service. When he was brought before a U.S. military tribunal in Nuremberg in 1949 to account for his crimes — in the so-called Wilhelmstrasse trial — in typical fashion there was no mention at all of his criminal counterfeiting activities. Nevertheless, in the course of this activity he had helped produce and disseminate fake British currency with a total value of 134.6 million pounds sterling, and he had made preparations for a daily output of 1 million counterfeit dollars. Great Britain was thereupon forced to issue all new bank notes in 1945. During Schellenberg's imprisonment as a war criminal, U.S. and British intelligence experts questioned him for 21 days just on the counterfeiting charges alone. One of his confidants and fellow-counterfeiters, an SS stormtroop commander in the SD, Dr Wilhelm Hoettl, alias Walter Hagen, gave this jubilant account in Bavaria in 1955: "The British had said they regarded 'Operation Bernhard' as a kind of stratagem of war and had consequently decided not to pursue as a crime the traffic in counterfeit pounds produced by 'Operation Bernhard'..." (from "Operation Bernhard," Starnberg).

Meanwhile, proof that NATO, which came into being in 1949, has long since adopted the paper weapon as part of its arsenal is found in the candid and relevant article entitled "A Neglected Weapon of War," written by Canadian Army officer J. Coughlan and published in the 1951 edition of Ottawa's CANADIAN ARMY JOURNAL.

Loopholes Still Open

In the interim, the United States has demonstrated to many a nation that it is not above the idea of using counterfeit money to realize its imperial power politics in the manner of gangsters and Nazis. That may also be the real and inescapable reason why the United States to this day has not effected the legally binding ratification of the Geneva International Agreement on Combatting Counterfeiting, even though it signed the multilateral agreement in 1929.

7458
CSO: 2300/84

RIGORS OF PARACHUTE TRAINING DESCRIBED

East Berlin FLIEGER-REVUE in German No 11, Nov 81 pp 496-499

[Article by Hartmut Buch, FLIEGER-REVUE editorial board: "Jumps Between Noon and Midnight -- Reportage from a Jump Site of the National People's Army (NVA) Paratroops"]

> [Text] He had a strange feeling before this jump, but he was not sure if it was fear or not. It probably was fear. The contours of the ground far below were unclear. Now he had to leap from the aircraft. He was caught by the blast but somehow gave a push and turned himself. Up above loomed the bottom of the aircraft. Gemnrich followed after him. Why did he jump after him? And now this: The stabilizer on Gemnrich's parachute did not deploy. The cover remained closed. Had not he himself hooked up the static line? What would Gemnrich do? Would he open the reserve or go into a free fall? Now he heard a startling cry. Or was it a whistle?

Thomas Dibus woke up still hearing the whistle used by the charge-of-quarters. "Wow, that was quite a dream," the 20-year-old thought to himself before he jumped out of bed. The "Willi Saenger" paratroop battalion had left its mark on Corporal Thomas Dibus, occupying the Berliner even in his sleep.

This was not his first time at such a jump training camp, but this year it was a new situation for the mature young man. He had mastered jumping, having already completed 76 jumps with the GST [Society for Sport and Technology] in Berlin. Added to these were the military jumps he had made since first proudly donning the beret. During this year's jump training camp, however, he was responsible not only for himself but also for other comrades. He was in charge of a jump group.

Despite the unaccustomed responsibility which he had to assume, he had looked forward to the jump training camp, as had all the comrades in the battalion. Parachute jumping is their specialty, and they do not just simply carry it out but do it with enthusiasm; otherwise they would be poor paratroopers. When all hands move out to the airfield in the summer and set up the tents, radio stations, field kitchens and all the things that make up an orderly camp, they are caught up in anticipation of the events that will take place during the weeks that follow. The jump training camp is a high point in their rugged army life. Of course, this high

point has two sides. On the one hand there was the fun of jumping, while on the other was the hard work and sacrifice because, weather permitting, jumping is carried out here around the clock, and weekends are seldom duty-free. The day Thomas Dibus woke up after his bad dream was supposed to be such a day for him and his group.

Early gymnastics, morning toilet, breakfast and morning formation were behind them as they proceeded to the closed hangars to pick up the parachutes that had been packed the day before. The pack covers are spread out, the parachutes laid out in columns and rows.

The comrades of the Dibus group are first-year personnel for whom jumps without weapons from an AN-2 at 600 meters altitude are planned for today. While the paratroopers busy themselves with their equipment, adjusting the automatic parachute opening mechanisms and carrying out other preparations, their glances travel now and again to the wind sock. The red- and white-striped sleeve stands out almost straight from the pole. The stiff breeze blowing in from the Baltic Sea dampens somewhat the pleasure with which they look forward to the forthcoming jump. The jumpmaster also carefully follows the wind gauge measurements, finally deciding that the third-year personnel will begin with jumps from the Mi-8 and the younger comrades will have to wait. While Thomas Dibus and his group march back to their quarters tent, the experienced comrades put on their parachutes, but that is not all. Protective gear, weapons, the large paratroop bags which they have to attach beneath the main chute, are also put on, hooked up and made fast. Heavily laden, the men move to the Mi-8.

The rotor blades cut the turbulent air, becoming faster and faster; swinging, the helicopter lifts off, noses forward and finally flies climbing away. No more than 3 minutes later, the Mi-8 hovers at the proper altitude over the airfield. The comrades below follow the drop maneuver with attentive gazes; among the observers are the troops of Corporal Dibus, who has advised them to observe this jump in strong wind.

Even sport jumpers with their efficient winged parachutes would certainly think twice about going up and jumping under these conditions. But the paratrooper must hazard the jump even with heavy equipment.

The first jumper has left the helicopter. The others follow at short intervals. A brief fall with the immediately opening small stabilizer chute, and then the green and brown RS-9's pop open in the blue summer sky.

The group has made a good jump; they hang together closely. The jumpers with the cargo bags release their loads, which drop down 10 meters and then hang there swinging on safety lines.

The wind quickly blows the group in the direction of the yellow landing cross. If they were to come down at this speed it would be comparable to a neck-breaking jump from a passenger train, but the first one is already slowing down his speed. The others follow with the same control maneuver. Now they are nearing the ground, and this is what the unitiatated observer can hardly believe: The jellyfish-shaped parachute canopy almost stands still above the ground. The first one lands, quickly

jumps to his feet and runs around the inflated canopy. Only in this way will it collapse.

Another one fails to accomplish this maneuver and is dragged over the turf by the parachute, the canopy standing up in the wind like a 60-square-meter sail, until he finally succeeds in releasing one side of the harness. One set of risers falls away and the canopy finally collapses, the wind going out of it like a balloon that has been punctured. The group assembles, then marches to the leader at the landing area who evaluates the jump.

Thomas Dibus and his group also discuss this jump, which for the young comrades was an interesting demonstration of the efficiency of their parachutes. This parachute must of course be mastered, must be controlled with no mistakes. In order to learn how to do this, they prepare thoroughly for each jump task. So Thomas Dibus also uses this time to discuss the upcoming jumps with his comrades, particularly the night jump planned for tonight. Of course, Thomas Dibus would also like to use this pause forced on them by the wind for a nap because he knows that it is going to be a very long, long day. But one must not give in to such "weaknesses" if one wishes to attain the lofty training goals with the best results. So the corporal goes over the jump tasks once more. He leads the discussion with knowledge and enthusiasm; he listens and proves himself to be a good military leader despite his youthfulness. The Berliner told us this about his route to becoming a paratrooper: "I have always been very active in sports, and therefore -- when I had to begin to think about my military service -- only the paratroops came under consideration. In the Berlin parachute sports section of the GST, where I had such an experienced teacher as Guenter Wolf for my jump instructor, I was able to prepare myself well, in terms of both conditioning and jumping. But to be honest, despite all the preparations the first weeks here in the battalion were hard. You often had to grit your teeth; without meaning to, you began to wonder what was the use of all this struggling, this drudgery...." Like all new comrades, Thomas Dibus thought much during these weeks about our socialist nation, the danger to peace posed by the imperialists and the absolute necessity for major efforts by our soldiers to increase combat readiness.

When the solemn swearing-in of the comrades in his duty year was held, he stood solidly behind the words of the oath of our army personnel. The ceremony and meaning of this hour were increased by the fact that his parents and also his GST jump instructor, Guenter Wolf, attended the oath-taking ceremony.

This high point was quickly followed by the normal routine. The Berliner was one of the best and thus was sent to NCO school, which he likewise completed with good results. In the spring, he acquired the packer qualification for the RS-9 and the reserve gear. This qualification authorized him to instruct other comrades in parachute packing, to inspect parachutes and, finally, to attest to the operational readiness of the parachute -- a very great responsibility, of which he is fully aware, and one which occupies him even in his sleep, as his dream this morning showed.

But Thomas Dibus accepts his new function resolutely and grows more sure of himself with each new day in the jump training camp, especially because he knows comrades in his group are striving to achieve the best training results, just as he is.

There is Michael Gennrich, the 18-year-old from Rathmannsdorf who completed his GST training in Magdeburg and came to the battalion with 22 jumps and good performances in running. He is one of the gung-ho troops, one of the comrades who for example can still finish a "little" 3,000-meter run around the airfield even after a strenuous day of jumping.

Not everyone brings such good qualifications to the orange-red berets. One example is Frank Rumpler from Senftenberg. Although he completed the GST's jump theory course and the ground training, he never received the chance to make a jump. So, like many others, getting acquainted with the sky was a new experience for the skilled machinist. When it comes to a training program that involves as much as paratroop training does, this is of course a disadvantage, but hard work and the help of other comrades keep it from being an insurmountable obstacle.

The 20-year-old had this to say about his first jump a few days ago: "When I put the parachute on for the first time, I was already very excited. Then we had to take them off again; the wind was too strong. Another day of waiting; another day of excitement. Then I finally made it; I was sitting in the AN-2. What feelings those were. But I knew I would jump. Stand up, move in front of the jumpmaster, your foot in the hatch -- jump. The chute opened; I checked out the canopy and looked for the spot. Then my first reaction was a happy one. I'd like to have jumped again right after I landed.

The young man from Senftenberg meanwhile has seven jumps recorded in his jump book; numbers eight and nine are to come today, the latter being his first nighttime jump.

Finally, after lunch, the jumpmaster also clears the first-year comrades to jump. Commands once again reverberate over the staging area. The group leaders check out the parachutes that their soldiers have put on, and then they report to the comrades of the paratroop corps, the specialists, that they are ready to go. Then these specialists make their inspection, which involves giving a grade.

Once again, group after group marches to the small Antonov aircraft, the parachutes open over the airfield and groups of paratroopers guide themselves toward the yellow landing cross.

Corporal Ditus is in high spirits after his group's jump. They received a grade of "1" for their preparations and the jump itself, thus assuring themselves of being among the leaders in the soldiers' competition. Now they have to do just as well with their night jump this evening.

The hours until dusk are spent on an evening run, supper and jump preparations. Once the sun has completely disappeared below the horizon, it is finally time to harness up. Half an hour later they are sitting close together in the AN-2. The tension of their first night jump shows on some of the faces. The group leader says an encouraging word and then peers out into the night while the aircraft gains altitude. The city's harbor installations are clearly visible in the glare of the floodlights. Steaming away from the coast, which looks somewhat lighter, is a small freighter, recognizable by its navigation lights. The paratroopers do not have long to enjoy the lights below or to dwell on their thoughts. As soon as the jumpmaster opens the hatch, the air stream comes whistling into the cabin. The men

stand up, move close together and concentrate on the drop, which is to be done as a group this time as well. Now the jumpmaster moves away from the hatch. Thomas Dibus is the heaviest, so he jumps first; the others follow at intervals of seconds. The Berliner feels the jerk of the chute as it opens; shortly thereafter it blots out the starry sky like a dark cloud. The jumper shines his flashlight on the canopy. No damage -- everything's all right. Where are the others? He turns the canopy toward his group and tries to count the number of parachutes floating above him. He is unable to locate them all. The illuminated altimeter indicates a scant 100 meters. Prepare for landing -- the ground is already coming up to meet him. Feet out in front, hit the ground, roll. He hears the other comrades landing beside and behind him.

Now Thomas Dibus flashes his light around -- signals coming out of the darkness for the others, who are supposed to gather around. After about 10 minutes they are all there and without injury. Two of the comrades are already trading impressions of their first night jump. In a friendly way, their corporal admonishes them to put this off until later.

Thomas Dibus is satisfied. They achieved good ratings and have advanced another step further in their training. The tension slowly drains out of him; weariness creeps in. Now -- in an hour at the latest -- they'll be falling into their cots. This time, says Thomas Dibus to himself, his sleep will definitely be dreamless.

7458
CSO: 2300/85

SWEDISH PAPER COMPILES LIST OF INTERNED PERSONS

Stockholm DAGENS NYHETER in Swedish 23 Dec 81 p 13

[Article by Peter Johnsson]

[Text] Today DAGENS NYHETER is able to present a list of 260 people in Warsaw who have been arrested since the military council took over power in Poland on 13 December. DAGENS NYHETER is the first of the news media to gain access to the material which was completed on Tuesday.

The list contains the names of intellectuals, known cultural figures and scientists--most associated with Solidarity and prominent people in the struggle for a more open society.

This is the first list that has been made. It is based on information compiled from reports smuggled out of Poland in various ways. This information is now being collated in Switzerland where the Solidarity exile organization has its headquarters.

First List of 260 Intellectuals

It is hard to obtain reliable information as to how many people have been interned in Poland since the military council introduced martial law a week and a half ago. The number varies from the 50,000 of Solidarity to the 5000 of the authorities but other information from diplomatic sources in Warsaw tends to confirm Solidarity's figure rather than that of the authorities.

Naturally it is even harder to obtain the names of people who are interned in camps or jails. The authorities have issued false and misleading information on this point too. For example concerning Miroslaw Chojecki, legendary publisher of underground literature in Poland. According to the official version he is sitting behind bars. But he is the first person I met at the airport in Zurich. And when the coup occurred he was in the United States, he told me.

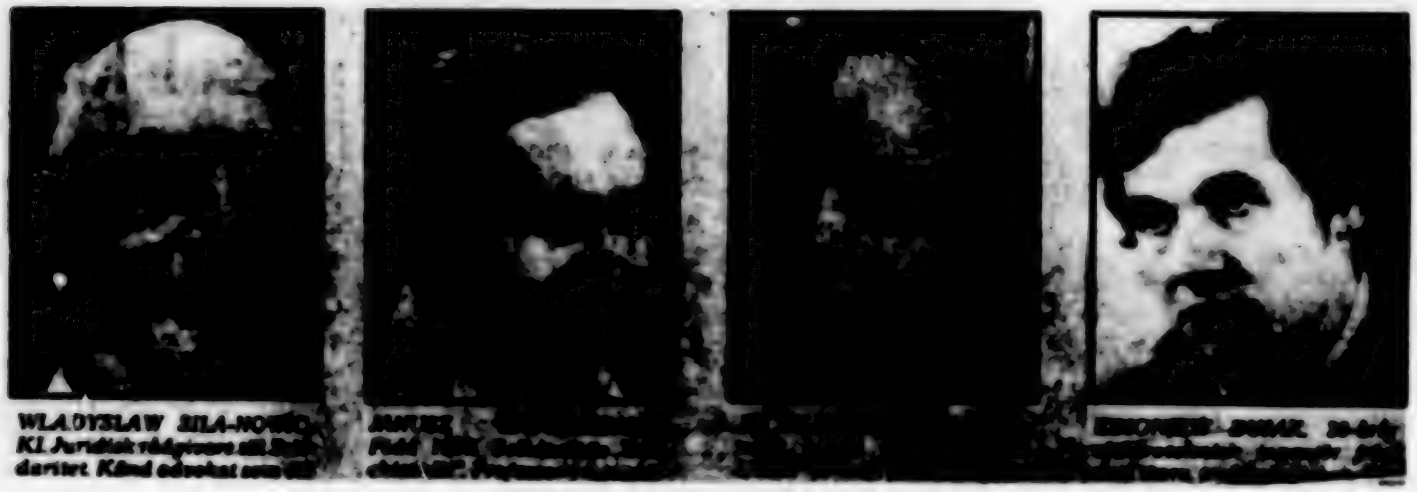
The names of those arrested get out to the West in different ways. Friends of those in prison give the information to people leaving the country. This information is then passed on to the Solidarity members who are in exile in various places in Europe.

The list published by DAGENS NYHETER was compiled after information from different places in Europe was compared. The information is as reliable as it can be considering the Polish regime's effective cutting off of the country. Thus some mistakes are unavoidable.

This list concerns only the Warsaw area and includes mainly intellectuals.

Of course the list is also incomplete. It is not difficult to name people who are not on the list but are quite certainly interned.

Obtaining the names of imprisoned Solidarity activists from the ranks of the workers is much harder. Only the most well-known names [illegible] out.



Men Interned in Warsaw

Key:

1. Wladyslaw Sila-Nowicki. Legal adviser to Solidarity. Well-known lawyer who on several occasions defended opposition people when they were brought to court. After events in 1976, defender of workers in Radom and Ursus. Under Stalin era imprisoned himself and condemned to death. Sentence changed to life imprisonment and after Stalin's death Sila-Nowicki was set free. Born in 1933.

2. Janusz Onyszkiewicz. Born in 1939. Solidarity's "Machiavelli." Professor of mathematics at Warsaw University. Has been guest professor at among other places the universities at Oxford, London, Leeds, Manchester, Paris. Since this September member of Solidarity's highest leadership. Close cooperator with and adviser to Walesa. Politically involved since student uprising in 1968.

3. Jacek Kuron. One of Poland's most well-known opposition figures. Under 1960's and 1970's arrested several times. One of those behind the founding of KOR--the Committee for Social Self-Defense--in 1976. Since August 1980 adviser to Solidarity presidium. Now arrested along with his wife, Grazyna, and son, Maciej. Kuron was born in 1934.

4. Zbigniew Bujak. A 26-year-old electrotechnical engineer from the big Ursus tractor factory in Warsaw. Bujak is chairman of the Warsaw region Solidarity and a member of Solidarity's highest leadership. Seen by many as Walesa's successor. Bujak is free today, according to some reports, after having fled from a prisoner transport.

List of Names [numbers as printed]

A

1. Arkuszewski, Wojciech
2. Adkowski, Jaroslaw
3. Amsterdamski, Stefan, philosopher
4. Amsterdamski, Piotr
5. Abgarowicz

B

6. Bogucka
7. Bugaj, Ryszard, expert in Solidarity
8. Bochenski, Jacek, author
9. Bialostocki, Jan, professor of art history
10. Buc, Andrzej
11. Beylin, Marek
12. Bartoszewski, Wladyslaw, vice chairman of P.E.N. Club
13. Bartoszewski, Witold
14. Borowski
15. Bak, Mieczyslaw
16. Borowik, Wladyslaw
17. Burek, Tomasz,historian
18. Bogustawski, Andrzej [as published; should be Boguslawski]
19. Boguslawski
20. Bujak, Zbigniew, see photo
21. Bratkowski, Stefan, chairman of journalists union
22. Broniarek, Emil
23. Bielinski, Konrad, editor in chief of underground paper, INDEPENDENT
24. Bielinski, A., member of doctors union
25. Borgowski [Borkowski?]
26. Buke, Andrzej
27. Brykczynski, Jerzy
28. Bigotowski, Bogdan
29. Bialolecki
30. Balasinska, Malgorzata, Solidarity's foreign section
31. Baranski, Marek, Warsaw University
32. Bielski, Bogdan
33. Borkowski, Tomasz, works for underground publishing house, NOWA [Independent Publishing House]
34. Borowik, Marek, NOWA
35. Borowik, Wojciech, NOWA
36. Boguta, Grzegorz, NOWA
37. Brodzik, Piotr
38. Bula, Tyrska [as published]
39. Bucht, Andrzej
169. Brandys, Marian, author

C

40. Celinski, Andrzej, national council of Solidarity
41. Celinski, Wojciech
42. Chajn, Jozef, sympathizer of KOR [Committee for Social Self-Defense]
43. Chimiak, Marek
44. Czabanski, Krzysztof
45. Czaputowidz, Jacek [probably Czaputowicz], Independent Students' Association, NZS--Students' Solidarity
46. Czuma, Andrzej
47. Cisko, Maciej, journalist

C (Cont.)

48. Chomicki, Jan, Independent Students' Association
49. Czarniecka, Joanna
50. Chmielewski
51. Cwierlikowska, Dorota
52. Chrzanowski, Wieslaw, expert in Solidarity national council
53. Chodakiewicz, Witold, engineer
54. Chodkiewicz
    Czarnik, Oskar

D

55. Drawicz, Andrzej, writer
56. Dorn, Ludwik, editor in chief of underground paper GLOS [ROSTEN]
57. Duriasz, Jozef, actor
58. Dyher, Jerzy, member of Solidarity leadership in Warsaw
59. Dworak, Jan, works for weekly SOLIDARNOSC

F

60. Ferenc, Witold, journalist for GLOS
61. Frybes, Marcia
62. Fikus, Dariusz, journalists union
63. Friszke, Andrzej
64. Falecka

G

65. Gorski, Mieczyslaw
66. Golar, Eugeniusz
67. Geremek, Bronislaw, expert in Solidarity national council
68. Grunwald, employed by Central Statistics Institute
69. Gut-Gutkowski, member of Warsaw Solidarity leadership
70. Gogulski, Ireneusz, journalist with Solidarity regional paper
71. Gutowski, Zygmunt, Solidarity leadership in Warsaw
72. Guzy, Jaroslaw, member of NZS, Independent Students' Association
73. Glinski, Piotr
74. Gzula, Jerzy
75. Grudzinski, Mieczyslaw, KOR member, Solidarity film group
76. Galbarczyk, Daniel
77. Grzesiak, Bogdan, printer for NOWA, the underground book publishing firm

H

78. Holzer, Jerzy, historian
79. Herczynski, Ryszard, philosopher at Warsaw University
80. Hertz, Pawel, authors' union
81. Hopfinger, Maryla

I, J

82. Illowiecki, Maciej, journalist with publication POLITYKA
83. Jezewska, Elzbieta
84. Jordan, Andrzej, Solidarity leadership in Warsaw
85. Jedlicki, Jerzy, Scientific Academy in Warsaw
86. Jastrun, Tomasz, authors' union
87. Jaworski, Seweryn, regional vice chairman

K

88. Konwicki, Tadeusz, author
89. Kuron, Jacek, see photo
90. Kuron, Grazyna, Jacek Kuron's wife
91. Kuron, Maciej, Jacek Kuron's son and member of students' union
92. Kaputowicz
93. Kunicki-Goldfinger, mathematics professor, Scientific Academy
94. Kijowski, Andrzej, literary critic
95. Kawalec, Stefan, Solidarity leadership in Warsaw
96. Kretkowski, Slawomir, NOWA, underground publishing firm
97. Katyhski, Andrzej [as published; should be Katynski]

K (Cont.)

98. Kabanski, Krzysztof
99. Kaminski, Tomasz
100. Kruk, Roland, member of Independent Students' Association, NZS
101. Kecik, Wieslaw, member of Farmers' Solidarity
102. Kecik, Marzena
103. Kolo, Eugeniusz
104. Kozlowski, member of students' association, NZS
105. Kozlowski
106. Komar, Mical [as published; should be Michal], author
107. Kurowski, Stefan, expert in national council, associate professor
108. Komorowski, Bronislaw, historian
109. Karbowiak, Ireneusz
110. Kowalska, Zena
111. Kowalski, Sergiusz, KOR member
112. Kania
113. Kaczynski, Andrzej
114. Kesy, Marek
115. Kuczynski, Waldemar, historian
116. Kubikowski, Zbigniew
117. Klocher, Ryszard
118. Kuligowski
119. Kusinski, Stanislaw, Solidarity regional leadership
120. Karpinski, Marek
121. Kloczkowski
122. Kaczynski, Jaroslaw, jurist
123. Karpezo, Stanislaw, Solidarity leadership at URSUS tractor factory
124. Kaniewski, Jerzy, URSUS
125. Kowalsczyk, B [as published; should be Kowalczyk]
126. Knap, Zbigniew, Solidarity regional leadership
127. Knapp, Jacek, Solidarity regional leadership
128. Kolesnik, Barbara
129. Kracher
130. Kupiecki, Dariusz
131. Kuligowski
170. Ksiadz, Kantowski
171. Kaczor, Kazimierz
173. Kowalska, Kinga

L

132. Litynska, Krystyna, KOR member
133. Litynski, Jan, KOR member
175. Lutek, Alexander
176. Leski, Krzystof [as published; should be Krzysztof], Solidarity news bureau, AS
177. Lipski, Jan Tomasz, KOR member
178. Lipski, Jan Josef [as published; should be Jozef], KOR member
179. Lukasiewicz, Mallgorzata [as published; should be Malgorzata], translator
180. Lukasiewicz, Piotr, sociologist
181. Lubienski, Tomasz, writer
182. Lapinski, Zdzislaw
183. Lojek, Jerzy, historian
184. Lojek, Pitr [as published; should be Piotr], Independent Students' Association
185. Luczywo, Helena, AS, Solidarity news bureau
186. Lewandowska, Irena, translator

M

134. Michnik, Adam, Solidarity-Warsaw
187. Malachowski, Alexander [as published; should be Aleksander], writer
188. Macierewicz, Antoni, KOR member
189. Markuszewski, Jerzy, producer and KOR member (released Tuesday afternoon according to Polish Radio)
190. Markuszewski, Tomasz, son of Jerzy M.
191. Moszula, Piotr
192. Mazowiecki, Tadeusz, editor in chief of SOLIDARNOSC
193. Majewski, Janusz, Catholic Theological Academy
194. Mroczek, Piotr, Solidarity leadership on radio and TV
195. Mordon, Issis
196. Mikolajska, Halina, KOR activist, actor

N O P

135. Nagorski, Wiktor
136. Nowicki, Marek, Solidarity-Warsaw
137. Nowicki, Piotr
197. Nowakowski, Marek, writer
198. Narkusz, adviser to Solidarity national council
199. Olszewski, Jan
200. Onyszkiewicz, Janusz, see photo
138. Prorok, Leszek, literary historian
231. Przewlocki, Janusz
232. Pawlak, Antoni, writer
Pawlicka, Malgorzata

R

139. Romaniuk, Adam, son of Krystyna R.
140. Romaniuk, Krystyna, secretary in Solidarity
141. Romaszewska, Zofia, Solidarity-Warsaw
142. Romaszewska, Agnieszka, Independent Students' Association
143. Romaszewski, Zbigniew, Solidarity leadership in Warsaw
144. Reguiska, Elzbieta, KOR member
145. Ross, Tadeusz
146. Ruszar, Jozef, weekly publication, SOLIDARNOSC
233. Rubinstein, Ryszard, mathematician
234. Romaniuk, Krzystof [as published; should be Krzysztof]
235. Rusinek, Stanislaw, Solidarity-Warsaw
236. Rozner, Andrzej, employed by the underground paper GLOS
237. Rayzacher, Maciej, actor, KOR member
238. Rykowski, Zbigniew, Independent Students' Association

S

147. Sokolowski, Lech, Warsaw Solidarity leadership
148. Sielawa, Bogdan, Independent Students' Association
149. Sielawa, Witold, works with ROBOTNIK
150. Srebrny, Marian, regional Solidarity leadership
151. Stawicki, Andrzej
152. Stachnik, Tadeusz, member of KPN (Confederation for an Independent Poland)
153. Szczepanski, Jaroslaw, SOLIDARNOSC
154. Sopocko, Jan, Solidarity leadership with radio and TV
155. Sciskalski, Jan, Solidarity-Warsaw
156. Sliwinski, Krzysztof, head of foreign bureau with Solidarity-Warsaw
157. Swierkowska, Dorora [as published; should be Dorota], Solidarity librarian
172. Sadurski, Karol, Solidarity-Warsaw
202. Stachowinski
203. Stachlik
239. Slaninski, Piotr
240. Slanicki, Andrzej
241. Szczypiorski, Andrzej, writer
242. Sila-Nowicki, see photo
243. Sicziak [as published], Marek
244. Stelmachowski, Andrzej, member of a Catholic club and expert in Solidarity
245. Starewicz
246. Studzinski, Bogdan
247. Szpakowski, Zdzislaw, employed with the Catholic paper WIEZ [LANKEN]
248. Strzelecki, Jerzy
249. Strzelecki, Jan
250. Suwala, Halina
251. Skorzynski, Jan
252. Strochalski, Krzystof [as published; should be Krzysztof]
253. Skukinski, Piotr
254. Starczewski, Stefan
255. Sianko, Anna
256. Siemion, Stanislaw
257. Slasinski, Piotr
258. Slasinski, Maciej
259. Sokolowska, Anna

T U

158. Tomczak
159. Trapinski, B.
204. Tomaszewska
205. Tomaszewski
206. Tarkowski, J.
207. Tyszka, Andrzej, sociologist
208. Topinski, Piotr
209. Tobera, Marek, member of Scientific Academy
210. Tabin, Marek
160. Urbanowicz, Anna
211. Uminski, T.

W

161. Welpinski, Wieslaw
162. Wilczynski, J.
163. Woroszylski, Wiktor
164. Woycicki, Kazimierz
165. Wujec, Ludka
166. Wipych, Wlodzimietz [as published; should be Wlodzimierz], editor of Solidarity publication
212. Warpechowska, Anna, employed at literary research institute
213. Werner, Andrzej, critic
214. Wronski, Andrzej, logician
215. Wosiek, Maria, KOR member
216. Walc, Jan, weekly, SOLIDARNOSC
217. Wilczycki, Jerzy
218. Wocial, Jerzy
219. Wyszkowski, Krzystof [as published; should be Krzysztof], weekly, SOLIDARNOSC
220. Wolonicki, Leslaw
221. Wierzbicki, Piotr, writer
222. Wujec, Henryk, KOR member

Z

167. Zbikowski
168. Ziembinski, Wojciech, editor in chief of REPUBLICA
223. Zambrowski, Antoni
224. Zimand, Roman, writer
225. Zolnierkiewicz, Slawomir
226. Zielinska, Halina
227. Zulak
228. Zajaczkowska, Grazyna, Solidarity-Warsaw
229. Zazula, Andrzej
230. Zielinski, Marek

6578
CSO: 3109/80

COMPOSITION OF MILITARY COUNCIL FOR NATIONAL SALVATION PUBLISHED

Warsaw TRYBUNA LUDU in Polish 14 Dec 81 p 2

["Composition of the Military Council for National Salvation"]

[Text] Composition of the Military Council for National Salvation, established during the night of 12-13 December 1981:

Chairman:

General of Army Wojciech Jaruzelski

Members:

General of Arms Florian Siwicki

General of Arms Tadeusz Tuczapski

General of Arms Eugeniusz Molczyk

Admiral Ludwik Janczyszyn

General of Division Czeslaw Kiszczak

General of Division Tadeusz Hupalowski

General of Division Czeslaw Piotrowski

General of Division Jozef Baryla

General of Division Wlodzimierz Oliwa

General of Division Henryk Rapacewicz

General of Division Jozef Uzycki

General of Division Tadeusz Krepski

General of Division Longin Lozowicki

General of Brigade Michal Janiszewski

General of Brigade Jerzy Jarosz

Colonel Tadeusz Makarewicz

Colonel Kazimierz Garbacik

Colonel (Reserves) Roman Les

Lt Colonel Jerzy Wlosinski

Lt Colonel Miroslav Hermasz

9761
CSO: 2600/150

COUNCIL OF STATE RESOLUTION ON USHERING IN STATE OF WAR PUBLISHED

Warsaw TRYBUNA LUDU in Polish 14 Dec 81 p 2

["Resolution of the Council of State on the Ushering in of the State of War"; passages enclosed in slantlines printed in boldface]

[Text] /The Council of State of the People's Republic of Poland issued a resolution on 12 December 1981 on the introduction, effective 13 December 1981 of the state of war on the entire territory of the state due to the considerations of state security, proceeding from the need to ensure enhanced safeguarding of the fundamental interests of the People's Republic of Poland and its citizens and also with the aim of creating conditions for the effective safeguarding of state sovereignty and independence as well as quiet, calm and public order, securing the effective functioning of authority, state administration and national economy./

The state of war has been ushered in on the authority of article 33, paragraph 2 of the Constitution of the People's Republic of Poland, which empowers the Council of State to usher in the state of war on a part of or on the entire territory of the People's Republic of Poland, if considerations of defense or state security so require.

For the duration of the state of war, certain civic rights provided by the constitution and specific laws and by international agreements ratified by the People's Republic of Poland are suspended or limited. This concerns, specifically, personal inviolability (article 87, paragraph 1 of the Constitution), inviolability of dwellings and confidentiality of correspondence (article 87, paragraph 2 of the Constitution) as well as the freedom of speech, of the press, of assembly, meetings, marches and demonstrations (article 83, paragraph 1 of the Constitution).

Specific obligations of services to the cause of the country's defense are imposed on the organs of authority and state administration as well as the enterprises of socialized economy. Obligations of serving in the armed forces, in the militarized units and in the units of civil defense are imposed on the citizens.

The principle of subordinating the activity of all organs of state authority and administration, all units of socialized economy and social and professional organizations to the interests of the state and the nation has been adopted.

Special penal, penal-administrative and disciplinary liability of citizens has been introduced, especially with regard to public functionaries, for failure to obey legal order and unconscientious fulfillment of duties to the state.

The above matters are specifically regulated by the provisions of laws, decrees and executive legal acts of the Council of Ministers, Committee for the Defense of the Country (KOK), ministers and heads of central offices, vowodship defense committees, governors and mayors of province-level cities based on these laws and decrees.

The basic legal acts determining the consequences of the introduced state of war are the following decrees, adopted by the Council of State on 12 December 1981: the decree on the state of war and the decree on special proceedings in cases of crimes and violations during the state of war, the decree on the transfer of certain criminal proceedings to jurisdiction of military courts and on the change of structure of military courts and military organizational units of the Procuracy of the People's Republic of Poland for the duration of the state of war, and also relevant regulations of the law of 21 November 1967 on the comprehensive duty of defense of the People's Republic of Poland.

In order to acquaint the citizens with the new legal situation which has been established on the territory of the People's Republic of Poland, further communiques will be forthcoming. On 13 December 1981 on the entire territory of the country proclamations of the chairman of the Council of State were posted in which the rules, bans and limitations and special duties of citizens associated with the introduced state of war were publicly announced.

9761
CSO: 2600/150

DRAFT OF INTRAPARTY WORK PROGRAM IN POZNAN VOIVODSHIP PUBLISHED

Poznan GAZETA POZNANSKA in Polish 21 Oct 81 p 3

["Principle Directions of Activity for 1981-1983", submitted by PZPR Voivodship Committee in Poznan]

[Text] On October 8, 1981, we published the draft of the PZPR Socioeconomic Program in the Poznan Voivodship for 1981-1983.

Today we publish the draft of the PZPR Intraparty Work Program in the Poznan Voivodship--the principle directions of activity for 1981-1983.

I. Consolidating the Party and its Leading Role

1. Intraparty life is based on three fundamental Leninist principles:

-- intraparty democracy,
-- democratic centralism,
-- openness of political life.

The full implementation of these principles by the party echelons, the primary party organizations (POP) and the members, will further the attainment of the program goals of the party and ensure permanent party ties with all of society.

2. Solicitude for the party's development must include care to preserve its class character and to closely observe statutory standards.

3. The work of the echelons and the primary party organizations and their executive boards must be based on the principles of collegiality. Before important decisions are made, the opinions of the involved echelons and primary party organizations must be obtained so that the opinions of the broadest ranks of party members may be considered in decisionmaking.

4. Resolutions passed by the party echelons, primary party organizations (POP) and their executive boards must be consistently implemented and the degree of their implementation should be regularly verified by the audit commissions as well as by higher-level echelons. Qualified voivodship committee departments collect the records on the resolutions that have been passed and supervise their implementation.

5. It is the duty of the echelons to inform the POP members about the resolutions that are passed and the reasons therefor, and the degree of their implementation. This practice serves to expand the openness of political life and the credibility of party activities.

6. Changes being made in the work style of the party's statutory apparatus, consisting of a departure from administration in favor of performing a service role to echelons and party members, should be intensified. The specific tasks and place of the permanent party apparatus and its service role to elected organs should be defined, while at the same time organizational efficiency and the precision of operation of all party organizations is preserved.

7. In striving to change the present method of implementing the principle of the party's leading role in our sociopolitical and economic life, it is necessary to:

-- give broad consideration to public opinions and feelings in party activities,

-- base party activities and resolutions on previous consultations with party members and nonparty persons and on the results of studies of social events and public opinion,

-- develop new methods of exerting the influence of party echelons on particular fields of sociopolitical and economic life. They should be based on party inspiration and supervision of the implementation of the party line, and not on the replacement of individual state, social and economic organs in making concrete decisions,

-- vigorously enforce the statutory responsibility of the party members for implementing the party's political-program line at their places of employment, dwelling places, and in the social activity that they demonstrate in other organizations. All of these activities should contribute to consolidating the party's leading role.

8. Consolidation of the party's leading role should take place also through increased activity, conforming to the party's statute and program, of its members who serve on such representative organs as the Sejm and the People's Councils.

II. Party Organs and Echelons

1. The party echelons are charged with:

-- establishing the basic party goals in a given locality or community,

-- directing the settlement of ideological, political and socioeconomic problems,

-- supervising the work of lower-level echelons and the primary party organizations. The echelon has an especially important duty to involve itself in the manner and degree to which primary organizations obtain support for party policies in the communities in which they function.

2. The problem commissions appointed by the committees must become the elements that develop the most important proposals and ideas for the echelons. They must also be the inspiring elements and must pass judgment on the activities of their own and lower-level echelons. The Voivodship Committee departments should also act as the secretarial staff to these commissions.

3. The right to represent the echelons on the outside and to present their positions belongs to the elected members, and with the authorization of the echelon or its organs, to the political workers of a given committee.

4. In order to increase the supervisory role of the general membership of the primary organizations and echelons over their executive organs, the leadership of the particular POP, echelons, and their commissions, submit reports on their activities in the middle of their terms which must be accepted by secret balloting.

5. The audit commissions and the party inspection commissions, in addition to fulfilling their statutory obligations, should halfway and at the end of their terms make an evaluation of the functioning of the echelons and their executive organs. The conclusions emerging from these evaluations should be submitted at the conference sessions, and in special cases, to the higher-level echelons.

6. At the party meetings and meetings of the echelons and other party organs, the participants should speak principally in their own name, and not that of their office. They should share their own thoughts or refer to problems which rankle the social circles in which they function. The party meetings should serve as a forum to exchange thoughts and viewpoints, to honestly analyze the realities and to assess the level of the party's work, to formulate evaluations and conclusions and to develop ideas, and should not be a forum in which to report on plant or community successes. Any censorship, or attemt to censor, any expressions, is forbidden and persons guilty of this will be charged with serious violations of the party's statute.

7. Permanent commissions should be appointed in the echelons, to which proposals, decisions and positions could flow from the party members and POP. This should be material which can be used in developing a work plan for the echelons and their problem commissions and to execute the decisions made by the collegial party organs. It is the task of the executive board of the committee at a given level to deal with the proposals formulated at the meetings of the POP, the committee and the commission, and to demand appropriate reaction to these proposals from those at whom they have been directed.

8. It is the duty of all echelons and POP to be mindful of the high authority of the deputies, councillors and members of various self-governing bodies who are party members. It is through them that the party and its echelons exert an important influence on the activities and decisions of representative bodies and self-governments, and indirectly, on the activities of the state and economic administrations.

9. The Voivodship Committee and echelons at the primary level are obliged to develop a system of party work with party members belonging to union, youth and social organizations. Comrades who are able to be persuasive on primary party goals and who at the same time are able to gain confidence and authority in their community should be utilized in party activities.

III. POP in Party Life

1. The primary party organizations, as the basic element of the party, while maintaining their independence and responsibility, are obliged to observe the general statutory principles of party functioning, the disciplined--in accordance with the principles of democratic centralism--implementation of its program and resolutions.

2. The POP are obliged to implement the crucial issues of party policy and to deal with the problems affecting the community in which they function. Having an important influence on the personnel composition of the party and the quality of its members, the POP are fully responsible for observing the statutory criteria for acceptance into the party and for enforcing the responsibility of the persons doing the recommending. A consistent implementation of this task will cleanse the party ranks of individuals who are irresponsible and prevent the infiltration of non-ideological persons into the party. This will guarantee implementation of the principle of the conformance of words with deeds.

3. The POP, in implementing the principle of openness of political life, are obliged to inform their members about the decisions and resolutions of party authorities at all levels about their work and about the political and socioeconomic situation, thus facilitating a multiplanar analysis of problems, with special consideration to objective, substantive criticism and self-criticism.

4. The POP should undertake activities which will ensure the proper functioning of enterprises and institutes; they should be the stimulators of a movement to raise the political awareness of the working people, the organizers of their participation in the sociopolitical and economic life of the country, the region and their workplace. Party organizations in places of employment, taking into account the multiplicity of information, viewpoints and assessments, should undertake activities to integrate the party community and different communities and generations around the politics of the party and its program. However, in order for this undertaking to be effectively implemented, the higher-level party echelons are obliged to supply the appropriately informative and persuasive propaganda material and the equipment indispensable to distribute and transmit this material.

5. The POP should not directly interfere in the process of managing and directing the enterprises. But as a discerning observer, they should propose optimal changes in those spheres where this may be required, cooperating with the workers self-government, trade-union organizations and youth organizations.

6. In the implementation of the party's program and political line and in order to increase the POP's authority, contacts among organizations operating in various communities should be employed. The development of self-government in the social and economic sphere makes this type of cooperation essential for it can ensure fuller implementation of the idea of the party's leading role.

7. The POP are obliged to evaluate and influence the interpersonal relationships in workplaces and the community and to popularize socialist standards of co-existence.

8. One of the conditions for strengthening the POP's authority in its community is to take a position on vital problems and processes appearing in the community and in the country's sociopolitical life.

9. The POP are obliged to closely cooperate with all social organizations, particularly with socialist youth unions.

10. Primary organizations and party echelons should give a great deal of attention to care of veterans of labor and battles and to utilize their knowledge and experience.

IV. Party Members

1. Joining and belonging to the party is the result of a voluntary and conscious choice of each of its members and assumes the acceptance of a series of obligations, such as absolute observance of the party statute and its ideological principles. In addition to activeness and commitment, every party member should possess the qualities of modesty, honesty, high moral values and civic integrity.

2. Deep patriotism and generosity of work for the good of the country, respect for national values, fulfilment of the ideals and principles of socialism, unswerving loyalty to proletarian internationalism, a struggle with everything that weakens socialist Poland and its alliances with the USSR and other countries in the socialist community and threatens its interests--these are the basic obligations of a party member.

3. In social organization activities each party member should implement the decisions of the party. This is especially important now when the party will fulfill its leading role through the party members in the social organizations, people's councils, trade unions and all types of self-government organs.

4. It is the duty of every party member to increase his familiarity with Marxist-Leninist theory and improve his professional qualifications and general knowledge.

5. Every party member must conduct himself in accordance with the principles proclaimed by the party. He must have the courage to express his convictions and critically oppose those acts that are deemed improper, unworthy or damaging to the party and society. The party requires from its members honest professional work, modesty, sincerity and integrity.

V. The Party's Cadre Policy

1. The influence on appointments to positions in the vast party apparatus and economic units is one of the important attributes of the political party in power. It is based on the selection of a leadership cadre which will create a favorable social climate and the conditions for implementing the party program, and will implement this program.

2. The basic goal of cadre policy is to ensure that appointments to management positions in the state and economic organizations will be made which will guarantee:

-- efficient and effective functioning of appropriate units,

-- conformance of the activities of these units with social needs and anticipations,

-- as concerns positions of particular political importance, conformance of activities of the cadre with the political line of the party.

In addition, the goal of cadre policy is also to create the conditions for proper utilization of the potential for knowledge and skills that is inherent in people and to clear the path for the advancement of all those who possess the indispensable moral and professional qualifications.

3. One of the most important elements of cadre policy is the development of a compact and clear system of cadre selection criteria and its consistent observance.

4. The criteria with which the leadership cadre of different levels and in various units should comply should meet the requirements of the function being performed and the range of responsibility. Irrespective of the requirements, the party, in its cadre policy, will be guided by the following general criteria:

-- high moral, social and ideological qualities, such as, for example, skill in working with and winning over people, decisiveness and communicativeness, conscientiousness and diligence,

-- professional, such as skill in decisionmaking, skill in leading groups of people, and an appropriate level of professional knowledge,

--mental and intellectual predispositions to increase their knowledge,

-- as concerns positions of particular political importance, the proper political qualifications as shown in their political stance, conforming to social expectations.

5. The system of criteria, irrespective of professional requirements and functions, should be developed by the initiative of the POP and party echelons in the shortest possible time, with the participation of representatives of science and experienced practicians.

6. A system of annual evaluations of the results of the work of the leadership cadre should be instituted, taking into account the above-cited criteria. This will assist in formulating the proper cadre conclusions and in improving the functioning of the state administration and the economic units.

7. It is necessary to form a reserve cadre composed of persons with suitable professional and moral and political qualifications, as well as intellectual and mental predispositions, which will ensure that the various functions will be performed. The creation of the reserve cadre will have an effect on the proper implementation of the promotion policy.

8. A critical evaluation should be made of the existing system of training cadre, from the standpoint of its effectiveness, and to make the indispensable revisions. Such an analysis should be made with the participation of the scientific institutes and professional organizations (Chief Technical Organization, Polish Economic Society, SIKP [expansion unknown], etc.).

9. The above-mentioned activities should ensure the proper and undeniable familiarity of the party echelons and organizations with the state of the cadre, which should make it possible for the party to advance people into leadership positions who are well-skilled and ideological, and who have the authority and confidence of the communities in which they function.

10. One form of leadership cadre selection is competition. The party echelons which are really familiar with the cadre can refer the highest qualified cadre to the competition. Party echelons, working with the allied factions and social organizations, can agree with them on candidates for positions, particularly in relation to elected positions in the power structure.

11. An effective and accepted social policy of dismissals from jobs should be developed. It is proper to publicly reveal the motives for the actions of people who were dismissed as a result of negligence, incompetence, or outright criminal activity. Those cadre who were honest and hardworking but could not meet the increased requirements should be dismissed in a manner that does not violate their dignity and they should be given recognition for their past services. Similar procedures should be applied in the case of people who were erroneously promoted, if the worker did everything he could to fulfill his tasks but underestimated his capabilities or the burden of duties undertaken.

12. Cadre policy should be at the center of attention of the party echelons and organizations. Its effectiveness and degree of social acceptance should be constantly examined and actions resulting from the changing situation should be undertaken pragmatically.

VI. Party Apparatus

1. To implement its program and maintain organizational cohesiveness the PZPR must have its own permanent apparatus, maintained from party funds. It is comprised of activists, party secretaries chosen by echelon members and workers appointed by the elective elements.

2. The party apparatus is strictly subordinate to the elective party echelons. In a disciplined and uniform manner it implements the policies and decisions of the collective leadership organs of the party.

3. The permanent party cadre concentrates its activities on preparing proposals for draft resolutions for the needs of the echelons, indicating strategy and policy. It organizes the supervision and execution of echelon decisions and fulfills a teaching function.

4. The apparatus workers should be skilled in analyzing social phenomena, in evaluating their political and class importance, in developing ideas, preparing draft resolutions and activity programs.

5. Party apparatus workers are obliged to unceasingly improve their qualifications through self-education, and also participate in organized forms of training.

6. It is essential that the political workers' affairs, insofar as the law is concerned, are in order. It is also necessary to prepare an intraparty document governing the working situation of those employed in the party apparatus (political worker status).

7. Political workers belong to party organizations in enterprises, state institutions or dwelling places. They have a duty to inform the POP about the work of the echelon in which they are workers, and vice versa.

VII. The Instruction System

The theoretical and ideological armament of the party and its members is an essential condition for maintaining party identity and its internal integrity. A solid knowledge about the goals, characters, forms and traditions of the actions of the communist party prevents confusion in the current ideological-program muddle which is the result of the moral-ideological crisis in the country. To implement this goal, the following component parts of the party education system should be put into effect:

1. Ideological-political preparation of PZPR candidates in a program covering familiarity with the foundations of knowledge on the ideological principles and program assumptions of the PZPR, the party statute and Leninist standards of party life. The forms of this training will differ, with the assumption that the course form will be regarded as basic.

2. A political ideology study department for party members of up to three years' standing. Its goal is to impart knowledge on Marxist philosophy, scientific socialism, political economy and the history of the Polish workers' movement.

3. Universal political instruction, whose goal it should be to interpret the crucial ideological and political problems of contemporary life in the country and to discuss current problems of party policy. The basic form of this instruction should be discussion at training meetings.

4. Training courses will be organized for newly elected secretaries and members of the executive boards of POP, teaching seminars and lecture clubs. The activities of the Marxism-Leninism Evening University will also be directed toward this goal.

5. Special attention should be given to the collection and examination of theory-program materials which are the ideological source of the activities of the opposition forces in relation to the party and socialism. A detailed familiarity with them by the Voivodship Committee lecturers and political workers is an essential condition for maintaining the party's effective ideological offensive.

6. Party echelons are obliged to ensure all possible assistance to the primary organizations in the area of party instruction. This pertains both to assistance in choosing lecturers and in preparing the indispensable materials.

VIII. The Party and Youth

1. The youth movement in the Poznan voivodship will be treated by the party in accordance with the Leninist concept of youth organizations, i.e., organizational self-government and independence of youth unions is recognized.

2. The party sees the youth organizations as a partner in solving sociopolitical and economic problems pertaining to the youth themselves.

3. The party expects that the youth will openly express themselves and voice their opinions and judgments on all problems bothering them.

4. The party's leading role in relation to the youth movement will be implemented through ideological-upbringing and program inspiration in the spirit of democracy based on genuine ideals of socialism, at the same time recognizing the total independence of unions in creating the goal and shaping the forms of ideological-upbringing work.

5. The party will support all initiatives emanating from the youth movement which strive to develop new planes of cooperation with all unions which recognize the principle of a socialist system.

6. The party will endeavor to develop a uniform upbringing system (taking into account the existing polarization of viewpoints) based on socialist values.

7. It is expected that the youth organizations will develop in the young generation some examples of life and thought that are based on the achievements of the past and the current attainments of Polish socialist culture.

8. The party will support and assist the youth in its striving to improve its living standards and material conditions and in its socio-occupational adaptation as quickly as possibly.

9. The party is interested in the development of physical culture among the youth. Physical training in the schools does not meet the developmental needs of the children and youth. Action should be taken to improve the base and cadre working in behalf of physical culture of the children, especially in the rural community.

Resolutions of the Plenum of the PZPR Voivodship Committee in Poznan Dated October 19, 1981:

Regarding the acceptance of organizational assumptions and materials of Section 2 the Program Reports-Elections Voivodship Conference of the PZPR in Poznan.

I. The PZPR Voivodship Committee in Poznan, conforming to the will of the delegates, resolves to convene Section 2 of the PZPR Program Reports-Elections Voivodship Conference. After Section 1 of the Conference, the efforts of the entire voivodship party organization were concentrated on actions aimed at consolidating the party around the implementation of the resolutions of the Ninth Extraordinary PZPR Congress under difficult sociopolitical and economic conditions in the country and in the voivodship. While being aware of the reasons for party mistakes in the past, we must focus the efforts of all party members and the entire party base on the creation of conditions for overcoming the crisis and on the rebirth of political, social and economic life. The program section of our Reports-Elections Voivodship Conference will assist in developing these conditions.

II. The PZPR Voivodship Committee in Poznan, after familiarizing itself with information on the course and tasks of the PZPR Central Committee Fourth Plenum presented by the first secretary of the Voivodship Committee, comrade Edward Skrzypczak, and familiarizing itself with the state of preparations for Section 2 of the PZPR Program Reports-Elections Voivodship Conference in Poznan, by motions presented in the discussions on the materials for the Conference, resolves:

1. Accept the materials from the PZPR Central Committee Fourth Plenum as guidelines for the work of the PZPR Voivodship Reports-Elections Conference in Poznan, Section 2, Program.

2. Fix the time and place of the Conference for Saturday, October 24, 1981, with deliberations to begin at 9 o'clock in the Boguslawski Hall of the Palace of Culture in Poznan, on Armia Czerwona Street.

3. Approve the draft of the Conference agenda, as follows:

-- the report of the Voivodship Committee Executive Board, which, by authority of the PZPR Voivodship Committee Plenum, will be delivered by the first secretary of the Voivodship Committee, comrade Edward Skrzypczak,

-- the report of the Voivodship Party Control Commission, which, by authority of the Commission, will be delivered by the chairman of the Commission, comrade Henryk Stach,

-- discussion,

-- acceptance of decisions and resolutions.

4. Approve the drafts of the Conference materials:

-- the PZPR Socioeconomic Program in the Poznan Voivodship--a plan of action for 1981-1983,

-- the resolution on the 100th anniversary of the workers' resistance movement in Great Poland,

-- the resolution on the construction of a Poznan Army Monument.

5. The PZPR Voivodship Committee Executive Board is obliged to prepare and present to the Conference proposals regarding the following documents:

-- the Conference's ideological declaration,

-- resolutions on actions to grant Poznan the status of a provincial capital and to reactivate the district people's councils and district offices,

-- a resolution on strengthening the workers-peasants alliance.

Regarding the form of ideological discussion in the party:

During a period when social confrontation is intensifying, with concern for party unity the PZPR Voivodship Committee Plenum deems it essential to:

-- concentrate all training-discussion, information-propaganda and agitational efforts and initiatives within the framework of new, democratically formed PZPR echelons,

-- call for all of the heretofore functioning forms of intraparty discussion to join in the activities of the ideological commissions of individual echelons and to create, within their frameworks, a joint platform for political discussion,

-- call upon all activists on the party's ideological front to continue their activity within the framework of the PZPR committees,

-- in undertaking the initiative of the PZPR Voivodship Committee Ideological Commission, support the intention to form a Party University as a plane for integrating the past forms of discussion in the party on the territory of the Poznan Voivodship.

9295
CSO: 2600/156

MILITARY AGRICULTURAL PRODUCTION, DEVELOPMENT OUTLINED

Warsaw ZOLNIERZ WOLNOSCI in Polish 1 Dec 81 pp 1, 5

[Text] The country's food situation is extremely difficult. The rationing of many food articles, shortages in supplies for the residents of cities and for large urban centers, are already a common phenomenon and are frequently inferment.

The deep crisis which the national economy is experiencing is felt most severely in the area of food and the shorage carries with it many threats. No one will be satisfied living in a country aided from left and right by gifts and donations of food from abroad. Therefore, everything that helps to improve to feed the nation especially now, must be valued and given preference.

It is commonly believed that it is not the job of the military to carry out extensive development in the agriculture, it would be easy though to show precedents set in recent history. That is why certain land, forests pasturages and meadows remain under the control of the military. The cultivable land is of the lowest class, from IV to VI. The reason the land is of such little agricultural use is due to the lack of land reclamation measures and to degenerating cultivation, because of a need to fulfill the duties of training areas, training grounds and airfields, as well as to the natural erosion of water and weather.

Even though the military has other duties to fulfill, for many years it has successfully conducted its own agriculture--cultivating grain, green fodder, fattening hogs and breeding cattle as well as growing fruit. These are not done in impressive quantities and are still far from exhausing all possibilities.

The intensification of military agriculture took place after 1975, when the national economy began to manifest the first symptoms of strong inefficiences. The perception of and suitable proposals for these symptoms, demonstrates positively who deserves acknowledgement today. Until recently, recognition of military agriculture has been denied, or at least not appreciated, today it is obvious to all and generally recognized.

How can the fact that the military farmers under difficult conditions manage to produce enough pork to satisfy 45 percent of the armed forces needs not be appreciated. A discussion about what sort of relief this creates for the nation under present conditions, would be in order.

What has been accomplished to date

Fattening of hogs and cattle and sheep breeding are important components of military agriculture. But besides cultivating grain, fodder crops and the development of water areas, much has also been done in other areas. Fruit growing is continually increasing. Plastic covered hot houses are generally used for the production of early and other vegetables. Rabbits, ducks and geese are bred. All this is done in several larger agricultural complexes within training areas, and around many barrack areas. They are not large but frequently high yielding farms operated by sections of food units, by schools and educational centers.

After successful years, as was the case with agriculture of the entire nation, the results of military agriculture were significantly decreased in 1980. Unfavorable climatic conditions contributed to [reducing] the level of fodder supply, and therefore the growth rate in the production of animals. Notable were also lower grain, and potatoes harvests.

Much was promised after the present year. In spite of the existing difficulties with harvesting equipment, among others, the planned land acreage was planted. The average grain yield was 22 quintals per hectar. The highest yield--29 quintals per hectare--was achieved by the navy, and the lowest by the Air Force.

The Armed Forces School of Anti-Aircraft Officers should be mentioned, among others, as one that developed agriculture especially well. They produced 37 quintals per hectar. Lt Colonel Zygmunt Burghardt, the organizer and animator of the school's agricultural activities, can consider this as--let us not be afraid of this unpopular word--success. Equally good results were achieved by the farm of Major Antonio Gajecki in conjunction with the Silesian military where more than 38 quintals per hectar were harvested. The builders didn't manage their land badly, where Lt. Colonel Benedykt Jarowski is in charge of this form of production. The artilleryman from the Pomeranian Military district and the Wroclaw Regiment of Territorial Defense did well also.

The prepared, preliminary balance-sheet for this year's military agriculture results indicates increased production of meat and grain. Many units, among others, the artillerymen from the Pomeranian military district, the airmen from the Silesian military district, the liaison from the Warsaw military district, as well as a series of schools, depots and educational centers produced more food than their annual needs of meat and goods. The growing of vegetables under plastic foil was also increased. Plans in this area were surpassed by 3 percent. Favorable results were obtained in the growth of field vegetables and in greenhouses. This is concomitant with an intense preservation of vegetables and fruit. The production of sour cabbage, pickles and mixed vegetables will completely satisfy the need of military mess halls and worker's canteens.

Other than these accomplishments, the ambitious military agricultural military plan for 1981 will not be accomplished in some areas. The production plan of pork will be, for example, 2 to 3 percent short.

As a rule, the obtained production results attest to the progress in the dimension an increased production growth of military agriculture. It should be mentioned

however, that the dimensions as well as the production growth of this agriculture do not exhaust all potential capabilities for fattening and breeding animals as well as cultivating grain, fodder crops and vegetables.

Standing in the way of military agricultural development are, among others, shortage of fertilizers, pesticides, fodder concentrates, etc. There are great difficulties with equipment maintainance due to catastrophic shortages of spare parts, tires and storage batteries. As is the case with the entire nation, there are immense problems with attempts to purchase tractors and agricultural equipment. Too many delays accure in the construction of farm buildings and the construction needed for agricultural use.

Such are the realities. The economic crisis and severe food shortages also force the armed forces into undertaking all possible actions and available means to take advantage of all agricultural reserves and to improve the efficiency of this form of management.

The road to increased animal production in the military--according to estimates by specialists from the Rations Service Command--leads through the creation of self-sufficent fodder bases, the guarantee of indespensable reproduction material for fodder and breeding as well as the construction of permanent farm buildings from available materials, within the agricultural system.

In order to obtain fodder, it is imperative to cultivate the two thousand hectars of unutilized croplands and grasslands in the training areas and the perimeters of the airfields. Crop production should completely equal fodder and breeding needs. There should be an intensification in the collection of stale bread and the use of kitchen waste for fodder. Rational nourishment and suitable nutritive fodder are important. Fattening during the closed cycle will be prefered which will facilitate the procurement of breeding stock.

According to preliminary estimates, with the accomplishment of all these propositions, military in 1982 animal production should double by next to this year. In order to accomplish this and to obtain positive results in other sectors of agriculture, tasks related to the development of this production must be precisely analyzed and designed in all districts and branches of the armed forces. In order to realize these tasks, all commanders, soldier's collectives, veterinary services and food co-operatives in units and garrisons should be included. Only through a joint effort will these ambitious plans be assured realization.

Not infrequently, barely 40-50 percent of the agricultural advantages are used.

For the needs of not only agricultural construction, trees from the forests of training areas can be used. Until now, they have been used for this purpose only minimally.

To outfit the military agriculture and forestry for proper implementation ability and with the necessary dynamics for development, the creation of new, higher structures of military, agricultural-forestry management seem appropriate. In the final analysis, this will surely be worth while.

9820
CSO: 2600/108

CEAUSESCU HAILED FOR COURAGE, HONESTY OF PLENUM SPEECH

Bucharest FLACARA in Romanian 3 Dec 81 pp 1, 2

[Article by Adrian Paunescu]

[Text] I am sorry that I have to repeat myself, but the use of big words when necessary, and when not necessary, places us in a situation of sometimes being disarmed when faced with the event, weary, lacking the freshness of spirit and words, the only thing which could express the significance of that event. One event is Comrade Nicolae Ceausescu's speech at the 24-25 November 1981 plenum, a speech that I would consider as a great moment of truth. Unfortunately, for a long time, too long, and not only in our times and not only here, some people got accustomed to and tried to get people used to the idea that the ideal is the same thing as the real and from the moment that they wanted to round off a number, it became rounded off in reality. Sometimes the reality became so mystified under certain circumstances that people said: "Great, you guys, but we still cannot eat numbers." But the people saying this themselves were content with the situation of being producers of empty numbers, not covered by reality and truth. There could not be a more vicious circle: as the producers, they gladly accept the advantages of an untrue situation, the advantages of rounding off number the advantages of eluding the truth, while as beneficiaries they are indignant that some people give inexact numbers and the disadvantage of falsifying the truth distresses them.

Some people could say that the lie must be hidden because the enemies of the cause will profit from the unpardoning unmasking of the mechanisms of the lie. Of course, it would seem to be "good" sense to hide the truth in one area or another. But the lesson of a formidible confrontation with the exact light of the truth, which President Nicolae Ceausescu gives, has not merely a political or social or economic significance; in my opinion--and here I think we should dwell--it has a great, very great moral significance.

I think that the moral significance in the end is the most lasting one. One sector and another of the ones criticized by the president will correct their activity. Possibly another sector will continue for a time to lag behind or defects in other sectors will appear. It is human from a purely economic aspect for more mistakes to be made. But the moral significance of this great gesture of courage and resoluteness, of revolutionary lucidity and real love for the party cannot be overlooked. Because, curiously enough, the moral significance, that which the first senses of the human being do not even discern because they cannot be felt, seen or heard but merely understood and mastered at the level of moral awareness, will penetrate as an example in all the acts of the foundation and continuity of our national collectivity.

We shall be all the more required to speak the truth and do our duty, each in our own sector of activity, following this resolute act. The moral significance of President Nicolae Ceausescu's speech of November 1981 is that which moves his words from under the sign of immediate policy to lasting history. This is not the first time he has taken a position, this man of the country, which becomes history, but it becomes history under a title which is dear to all men of conscience: the policy of truth.

Of course, as he said in his speech, the president did not dwell on certain problems but he gave precise diagnoses for other problems, with the treatment which must be applied to be clarified under future circumstances. In particular I am referring to the problems of agriculture, about which we are convinced that they are the subject of Comrade Nicolae Ceausescu's day-to-day thought and action.

However, most of the problems found a principled solution in the November speech, with these problems being, in particular, in the area of the struggle for truth. Once again we learn that the only way for us to exist with everyone in the world and for us to exist with everyone within the country is the truth. And we do not learn this after the lie has made its victims. Rather, we learn it in nearly a prophylactic way.

Even from the advice which the party's secretary general gave to everyone to get to work right away, we see that in the coming period there is a danger resulting from the habit of applauding instead of working.. It would be inadequate and improper for some merely to continually quote the words delivered at this plenum, without applying them to themselves and to the sectors where they do their activity, instead of taking the great example of the relentless struggle for truth by the president as the working weapon and tool in our day-to-day life. This has happened before, for example, at the national conference at the beginning of the 70's, when Comrade Nicolae Ceausescu requested speed and requested original thought while some people, instead of demanding speed in their sectors of activity and instead of encouraging original thought, thought that their duty was merely to applaud with mediocre enthusiasm the ideas then and then to see to their work unhindered, with the warm calm prior to that high moment of truth. What is important is to change a given circumstance, to change a precise historical situation, if it suits us, if it is favorable to us, if we truly love it, into a lasting working tool. Since the active thought of our president is truly exemplary in this speech, then let it become truly exemplary for us, let us understand it as such as to base it on our own struggle for truth in the service of that same cause. When Mihai Viteazul took weapons in hand to fight with his enemies and thus be an example to his soldiers, let us not forget that his soldiers did not just sit down in two lines and clap for Mihai Viteazul, feeling that the struggle for national independence and unity of the Romanian country had to be given only by the prince. No, let us remember, the first reaction of Mihai Viteazul's soldiers was to shout "hurray" and to be excited by the desire to sacrifice themselves for the country and by the desire to prove that they were the army of that brave one, but in the following moments they started the work they had to do and they followed Mihai Viteazul into battle, not quoting his acts of bravery like parrots but accomplishing them themselves, each at the level of his powers, courage and capacity for sacrifice. I think that here lies the crux of everyone's problems of conscience. Putting aside those who feel that Comrade Nicolae Ceausescu spoke great truths but that he said them and so let us all not start telling them now because it is dangerous, leaving aside those who, thus, do not understand that the president is not inventing but he is discovering the truth and that he is the bearer of

that truth, from the people to the people and that, thus, he could not help but tell us , leaving aside the occasional opportunists, to be careful of the long-standing opportunists who could understand that a simple reference to this moment arrives at creating a climate of truth of work everywhere in society and of value and good faith. Our duty as communists and patriots is that, by following this brilliant sexample, we should also assume responsibility at every level of existence and tell the truth and fight for the truth. Of course, each person has his own tools. For the peasant, to speak the truth does not mean to give a theoretical explanation of why he was absent from the spring work or the fall jobs. For a worker, to speak the truth does not mean to confess each that "Sir, I could not work because I had something to do." Each one speaks the truth with his work. The peasant's truth is the harvest. The worker's truth is production. The intellectual's truth is the efficiency of his activity. So, let us create a sum of our truths, influenced by this great political truth which President Nicolae Ceausescu told about Romania's domestic and international problems today. The November 1981 RCP Central Committee plenum in many respects had the weight and resonance of a party congress.

A little earlier we noted that a great politican does not invent but rather discovers truths. Let us recall honestly how many times we, as simple citizens, talked among ourselves, sometimes whispering so nobody else would hear us and tell on us, that on my word of honor things are not good, everyone was saying that, look, some people are disinforming the comrade. Why are they reporting what is not true, why are they saying that the harvesting is completed when it is not, why are they putting products on the market, especially when the comrade visits? President Nicolae Ceausescu told about many of these problems from the tribune of the November plenum with an extraordinary firmness and a skill of finding out the truth which simply fascinates you. Were these not exactly the problems we were thinking about ourselves? Did we not say,oh, how good if the comrade found out that some people are giving false reports and that some are gilding the outside while there is disorder on the inside, oh, if he could see how we suffer sometimes and if he could know. And, look, he did found out and did not keep it to himself, but he let the entire party and all the people know. And he actively admitted them, also initiating measures which resulted from a profound investigation of those lies. Of course, there also is another way to resolve these lies, a secret way, with small punishments in the office and measures taken behind closed doors. It is impressive that, despite the rumors which it will arouse among the enemies to our cause, this policy of the truth has been carried out and is being carried out without risk to the use of the nation and the high moral significance. Because, I repeat, we will have to understand from this truth being told that we ourselves are obligated not only to speak the truth but also to implement it, not only to quote it, but to make the truth incarnate. We must understand that we ourselves are obligated to the truth. Bread is a truth and we must produce it. Industrial product is a truth and it must be of a brilliant competitiveness. Intellectual product is a truth and it is not the case for us to hide behind our hands and not recognize that too many times we abandon ideas because "they are not possible" and we stop the fight.

Again we feel that the dictionary is somewhat tired of so many big words like the ones delivered or written on various occasions and again we must admit that we need a fresh soul because we are living through moments sometimes which, through the load they really bear, become history. I would consider this moment of truth of November 1981 as among the great battles of the Romanian nation. It even is a battle with us ourselves. The circumstance whereby, we have those forces for a new freshness

within this party, proceeding from the awareness of the person elected to head it, forces capable of setting a straight path for our ship in the storms of the age and against weakness and lies of some of the boatmen, is proof of the tireless force and fidality.

Comrade Nicolae Ceausescu, our appluase will be, must be, our acts. Each dav we shall quote the wise and courageous words, at the level of our work and possibilities, that which you have founded for an entire partv and for all the people: the struggle for truth. And even if it is sometimes inconvenient--and we know that it will be inconvenient many times--and even if it is tiring, even if it will seem that we are the direct descendants of Sisvphus on occasions, we shall conduct this struggle with all the powers and that dose of romanticism which has not disappeared and which should not be ashamed before the low kind of pragmatism of some who feel that man is a registration number. And we shall continue to think of everything, the new economic-financial mechanism, the need for clearing up the peasant's status, the need for a deeper use of the most important raw material in the world, the grav matter, the need for competition of values and correct incentives and our place in the world and our true friends and we shall recognize honestly that our entire life, if it is a struggle for truth, in itself quotes this stormv plea for the truth which vou have made and that only at the moment when we no longer exist will we be able to sav that we have closed the quotation.

8071
CSO: 2700/108

NATIONAL UNITY SAID TO TRANSCEND 'STATE PLURALISM'

Bucharest ERA SOCIALISTA in Romanian No 19, 5 Oct 81 pp 11-14

/Article by Dr Florin Constantiniu, N. Iorga Institute of History: "State Pluralism and National Unity"/

/Text/ Did the existence of several Romanian states (countries) (state pluralism) in the Middle Ages and well into the modern period affect the Romanians' national unity? Did state pluralism correspond to an ethnic pluralism, or in other words did the existence of several political units in the Carpatho-Danubian area reflect the existence of several peoples in that area, which is identical with the ancient Dacian homeland? These are questions to which Romanian historiography has given scientifically substantiated negative answers, but they come up again whenever the ethnic unity of the Romanians in Wallachia, Moldavia, Transylvania and Dobrogea is questioned or actually contested by prejudiced interpretations of the Romanians' past. The older and more recent studies of the Romanian historians have proved that state pluralism could not impair, to say nothing of destroying, the Romanians' national unity as a historical fact or its spiritual expression, the consciousness of national unity that became the national consciousness after the Romanian nation was formed. Knowledge of the conclusions of Romanian historiography about the problems of the Romanians' ethnic and liguistic unity and the forms of their unity before the national state was established cannot be confined to the circle of professional historians. Those conclusions concern every citizen of the nation, who should know his own people's past so that he can properly answer any distortions of that past. The memorable appeal in Miron Costin's work "On the Moldavian People" is still valid today: "Now look at yourself, dear reader, as in a mirror and consider whence you came, forgetting all other tales that some have told about you out of ignorance, others out of envy, which has never been lacking in the world among peoples, and others from confused and unfounded writings."

State Pluralism in Other Peoples' History

State pluralism is not peculiar to the Romanian people's history. The existence, especially in the medieval period, of several states inhabited by fractions of one and the same people is to be found in the past of several peoples on the European continent and, for that matter, outside it too.

After the territorial fragmentation of Kievan Russia and the separation, in the group of eastern Slavs, of the Russians from the Ukrainians and Belorussians, the Russian

people lived within several principalities like Rostov, Iaroslav, Tver, Moscow et al. of which Moscow became the unifying center around which the centralized Russian state was formed in the second half of the 15th century. There were several medieval kingdoms on the territory of present-day Spain, namely Aragon, Castille, Leon and Navarre, which were unified by 1512. Germany and Italy were not unified until the second half of the 19th century. For centuries Italy was a geographical reality identified with the Italian peninsula but not a political one, since there were several states within the peninsula (the Papal States, the Venetian Republic, the republics of Genoa, Siena and Florence, which became a principality, the Duchy of Milan, the Kingdom of the Two Sicilies, et al.). Italy was unified in four stages (1859, 1860-1861, 1866, and 1870) around the Kingdom of Piedmont. The unification of Germany, on the territory of which there were over 300 states upon the conclusion of the Peace of Westphalia in 1648, was accomplished by the Kingdom of Prussia and was not completed until 1871 (The empire proclaimed then maintained a federal structure).

The examples can be multiplied, but the foregoing are conclusive. Just as no one can contest the existence of the Italian people because there was a Venetian state, a Genoese state, etc. within whose borders Italians lived, the existence of a Wallachian state and another Moldavian or Transylvanian one cannot invalidate the existence of the Romanian people. Parts of one and the same people, the Romanians, lived within those states.

State pluralism is characteristic of feudal society. The predominantly natural economy (closed) characteristic of the medieval world favored areas inhabited by the same people and regional peculiarities expressed politically by the formation of states that were sometimes quite limited in size (microstates). As the productive forces and economic exchanges developed many ties were formed among these political units that were enhanced in some cases by extraeconomic factors (external threats for example) that hastened their territorial and institutional unification. In other cases a series of historical factors delayed the maturity of the historical conditions for national unity or acted against that unity. In the case of the Romanian countries the conquest of Transylvania by the Hungarian kingdom, the establishment of Ottoman rule over the Romanian countries, the Habsburg rule over Transylvania and later over Bucovina too, and the impact of the simultaneous expansions of the great empires in that part of Europe restricted the natural development of Romanian society and created conditions unfavorable to the unification of Romanian territory.

Factors for the Romanian People's Unity

The existence of several Romanian states (countries) meant a division solely on the level of political-administrative organization, which could not affect the much more profound reality of the Romanian people's unity, generated by a series of such factors as territory, language, economic activity, social-political structure, culture etc., which facilitated relations among the Romanian countries and accordingly favored the Romanian people's unity.

a. Territorial Unity

A rapid glance at the physical map of Romania immediately reveals the symmetrical nature of the Romanian territory, centering on the Transylvanian plateau, bordered by the chain or rim of the Carpathians, and then descending into an amphitheater through the zones of the Subcarpathians, hills and plains. The Carpathians were never a barrier, since the mountain roads over the peaks and the passes permitted easy

communication between the populations on both sides of the mountain range. In its turn the Danube, although marginal for a large part of its course along Romanian territory, was the end point of two great trade routes through Romanian territory in the Middle Ages and in that period it performed an important strategic function in the struggle to defend independence. It may be said that the Carpathians and the Danube were the defining, unifying factors of the Romanian area.

b. Linguistic Unity

The Romanian language is characterized by its uniformity and the ease with which it is spoken and understood by all Romanians. Aside from their Balkan branch (Aromanians, Meglenoromanians, and Istroromanians, vestiges of the great eastern Romanian bloc dislocated by the Slavic invasion in the sixth and seventh centuries), the Romanians north of the Danube (Daco-Romanians) speak a language without dialects that considerably facilitates communication.

Another equally characteristic and noteworthy trait of the Romanian language was its resistance to the successive waves of migratory populations, who could not essentially change its main vocabulary, to say nothing of its grammatical structure, even when they ruled over the Romanian territory and finally settled among the indigenous Romanians. The Italian humanist Antonio Bonfini (1434-1503), who lived at King Matia Corvin's court for a long time, noted the Romanians' efforts to preserve their language. "(They) resist so stubbornly that you see it as a struggle not so much to keep their lives intact as their language. For who would not marvel, if he stopped to consider the frequent waves of Sarmatians and Goths as well as Huns, Vandals and Gepidae and the inroads of Germans and Langobards, that the remnants of the Roman language have still been preserved among Dacians and Getae?"

The use of the Slavonic language, according to the medieval tradition, in the princely chancellery and in the religious service did not alienate Romanians from their mother tongue. About the year 1475 Nicolaus Machinensis, bishop of Modrussa, who knew Vlad Tepes, noted the difference between the Slavonic religious language (In the Middle Ages there was the theory of the so-called sacred languages in which religious services could be held) and the Romanian mother tongue (vernaculus sermo) that the Romanians spoke "from their origins" (ab incunabilis).

This ancestral language united the Romanians throughout the Carpatho-Danubian area across the frontiers of state pluralism. The Moldavian, the Wallachian and the Transylvanian knew that their dialects, which naturally showed certain distinctive features, were nothing but one and the same Romanian language. Miron Costin says it plainly: "As we see that although we are now called Moldavians we do not ask, 'Do you know Moldavian?' but 'Do you know Romanian?'" That is clear proof that their language was one of the most powerful factors for the Romanians' national unity.

c. Economic Unity

As we know feudal society was characterized by its natural economy (closed), which does not mean that trade did not exist. Even if there were only the natural conditions (some bread grains, vines etc. could be grown only under certain soil and climatic conditions), economic exchanges would still have been a necessity. Actually there was a commodity production in feudal society, the extent and economic importance of which increased with the advance toward capitalism and the formation of the regional markets anticipating their unification in a single national market corresponding to the national state.

Wallachia, Moldavia and Transylvania, separated by political borders, were united by a dense network of economic relations. In the 15th-16th centuries Brasov, Sibiu and Bistrita were economic centers of the whole Romanian area, and Brasov was a kind of economic capital of medieval Romanian society.

This situation was clearly determined by relations with the Romanian territories south and east of the Carpathians, a fact correctly perceived by the great minister in Wallachia Vintila, who wrote to the Brasovans in 1558, "You well know that without us you cannot be your country, Tara Birsei, and without our country you cannot exist."

When later on the court in Vienna tried to break Transylvania's economic unity with Moldavia and Wallachia in the second half of the 18th century, the Transylvanian Aulic Charber in Vienna pointed out, in 1779, "the tie between the great Principality of Transylvania and the neighboring countries, Moldavia and Wallachia, and the urgent need of importing large quantities of the raw materials the Principality of Transylvania needs." Transylvania's economic orientation toward the Romanian Principalities is illustrated among other things by the figures on its trade in 1838. Exports to the Romanian Principalities and the Turkish provinces amounted to 2,995,091 florins compared to 89,144 florins in exports to Hungary and the Austrian provinces, and the imports from the Romanian Principalities and Turkish provinces amounted to 4,157,055 florins compared with 172,408 florins in imports from Hungary and the Austrian provinces.

The great Romanian historian Nicolae Iorga pointed out this economic unity of the Romanian area in the period of state pluralism in terms of notable authenticity and clarity. Stating that Moldavia and Wallachia "formed a single country economically," he went on to say, "The first unification of the Romanians existed when that idea had not occurred to the scholars, in the perfect unity of their economic life based upon the perfect unity of their life in general, and Transylvania also entered into that life through Romanian intercirculation: a single body and a single veined system, I should say, through which the same living blood flowed."

d. Unity of Social-Political Structure

Romanian medieval society was formed uniformly throughout the Romanian territory, so that state nuclei (principalities and voievodates) appeared in the 9th-10th centuries throughout the Carpatho-Danubian area which evolved toward formation of a single feudal state. The conquest of Transylvania by the Hungarian kingdom (begun in the 10th century and not finished until the beginning of the 13th century because of the resistance encountered) interrupted this process by removing the geographic "heart" of the Romanian area that is Transylvania.

But it is indicative of the Romanian character, from the demographic and institutional standpoint of Transylvania, that the conquerors themselves, when they had to give a political-administrative organization to the recently subjugated territory, were forced to resort to the typically Romanian institution of the voievodate(As the great Romanian Slavic scholar I. Bogdan said, beneath the Slavic cover of the word there is a characteristically Romanian content that distinguishes the Romanian voievodate from the institutions of the same name in Slavic: in Romania the voievod is the supreme leader while among Slavs he performs a subordinate role). The two free Romanian countries south and east of the Carpathians, Wallachia and Moldavia, were also voievodates.

The typical feudal social structure (with two basic classes, the great landlords and the peasants) in the whole Romanian area, which developed free of foreign interference, consisted of boyars and peasants, free or dependent, organized in territorial communities with similar structures throughout the area inhabited by Romanians. In Transylvania the Hungarian conquest brought a class of Hungarian nobles just as in Dobrogea the Turkish conquest introduced the system of land organization typical of Ottoman society. But it is significant that in Tara Fagarasului, long under the Wallachian princes' authority and escaping the central Hungarian authorities' strict control because of its location, the division into boyars and serfs persisted long after Transylvania passed under the Hungarian crown.

The same way of life in the Romanian areas caused the Transylvanian peasants, who were subject to a regime of manorial obligations much more oppressive than the one across the Carpathians, to seek refuge in Moldavia and Wallachia. They came to theirs to stay among theirs in such numbers that the inhabitants of the two Romanian countries east and south of the Carpathians could exclaim in the 18th century, "All Transylvania has come to our country."

Romanian Countries' Political and Military Collaboration

Faced with the same dangers (especially the Ottoman expansion directly threatening their existence as states), the Romanian countries developed a close collaboration on the political and military levels to unite and thus strengthen their forces before the common enemy. In the same struggle in defense of their own state structures and for their independence, the three Romanian countries' cooperation often took the form of true confederations, as for example in the time of Iancu de Hunedoara, who organized and led an anti-Ottoman front of Transylvania, Wallachia and Moldavia. The close and staunch tie at the time among the Romanian countries was expressed by Bogdan II, voievod of Moldavia, who wrote Iancu de Hunedoara on 11 February 1450, "The land of my reign and the land of your reign shall be one."

The rule of some domains in Transylvania (such as Ciceul and Cetatea de Balta, Bistrita, Rodna and Ungurasul) by some Moldavian princes, the aid given by the princes of Moldavia and Wallachia to the Orthodox Romanians in Transylvania and their churches, and especially the three Romanian countries' collaboration before the Ottoman peril lent relations among Moldavia, Wallachia and Transylvania a stability and depth which were among the prerequisites of their later unity.

The effort toward political unification of the three Romanian countries, also manifested by Sigismund Bathory or Gabriel Bethlen, could have no chance of success unless its promoter was a Romanian, since the Romanians formed the indigenous population and the overwhelming majority of those countries. No foreigner, but a man of the land could hold the scepter of authority over the entire Romanian people. This was Mihai Viteazul, prince of Wallachia (1593-1601).

The first unification of the Romanian countries, achieved by him in 1600, was of short duration because the international situation (the hostility of the Ottoman and Habsburg empires especially) was against it. Mihai Viteazul's deed remained as a political legacy that the following generations exploited under more favorable conditions. Mihai Viteazul was no conqueror of foreign countries but the unifier of the Romanian soil and the Romanians, who knew and said plainly in those years "that we are all of one law and one language," as the Wallachian boyars put it in a letter to the Moldavian ones of 5 September 1599, an especially significant testimony because it came from a group hostile to the great prince.

Consciousness of National Unity

On this objective basis of ethnic, linguistic, economic, social-political and cultural unity the Romanians formed and developed their consciousness of national unity as the collective spiritual reflection of the historical fact of the existence of the Romanian people as a single people forced to live in several political entities but perceiving their unity.. There are so many expressions of this consciousness that it is difficult to choose among them. But let us mention a few. In a message to the Venetian senate in 1478 Stefan the Great, voievod of Moldavia, referred to the neighboring state of Wallachia as "the other Wallachia," that is another Romanian country. It was accordingly clear to the great prince that his country and the neighboring one were in fact political units of one and the same people, the Romanians, regardless of the two countries' official names.

The idea of all Romanians' ethnic unity was clearly and concisely expressed by the first of the series of great Romanian chroniclers, Grigore Ureche: "The Romanians, inhabiting the Hungarian Land, Transylvania and Maramures, are of the same place as the Moldavians and they all came from Rome." Their unity is much more fully and soundly treated by the Moldavian chronicler Miron Costin, who devoted a special work, "On the Moldavian People," to these problems. Besides the wealth of information, the political purpose of the chronicler's scientific inquiry should be pointed out: The Romanian should know his true origin, hold his head up, and do away with prejudiced explanations.

The Wallachian chronicler Constantin Cantacuzino had the same ideas and the same political purpose: "... We, the Romanians, are true Romans and noble Romans in faith and in manhood... But the Romanians understand not only those here (in Wallachia -- our note) but also those in Transylvania, who are also natives, and the Moldavians, and all those who are elsewhere and speak that language... We also consider them Romanians because they have all come from the same source and [cura]."

The culmination of all these efforts to prove the Romanian quality and unity of the Romanians is the scholarly prince Dimitrie Cantemir's learned work, "Chronicle of the Antiquity of the Roman-Moldavian-Vlachs," which combines in the title of the first part the ideas of continuity and unity and the true legacy of political ideology: "Chronicle of the Whole Romanian Land (Later Divided into Moldavia, Wallachia and Transylvania) from Its Colonization by Trajan, the Emperor of Rome... And for the Romanians Who Then Settled There and Have Been Constantly Living There Until Now."

Consciousness of this unity of the Romanians is apparent in nearly all the important works of medieval Romanian culture. The metropolitan Varlaam significantly entitled his "Collected Sermons" the "Romanian Book of Instruction" (1643) and it actually enjoyed a wide circulation in all three Romanian countries. The code of laws published in Iasi by Vasile Lupu in 1646 was also entitled "Romanian Book of Instruction." On the title page of Serban Cantacuzino's "Bible" (1688) it says that it "was dedicated to the Romanian people." In 1821 Tudor Vladimirescu asked for relations to be established "with the Moldavians, because we are of one people and one law.... being of one mind and one voice with Moldavia we should be able to enjoy the benefits of these principalities equally by helping each other. On the field of Blaj in 1848 the Romanian peasants cried, "We wish to be united with the Nation," because for them and for the Transylvanian Romanian masses "the nation" meant the whole Romanian national community across any frontiers.

Once the Romanian nation was formed, consciousness of national unity became the national consciousness. Romanian society's progress in transition from feudalism to capitalism objectively required formation of the national state by liquidating state pluralism. The latter had become anachronistic and had to be eliminated.

The unification of Moldavia with Wallachia in 1859, followed by completion of national unity in 1918, was to meet this objective necessity by making the Romanians' unification in a single state irreversible and as lasting as granite. Conceived on the land that became their country, the Romanian people faced the vicissitudes of the centuries together. As Nicolae Ceausescu said in his speech on the 60th anniversary of the founding of the RCP, "The descendants of the Dacians and Romans, the new people who asserted their own existence, have developed constantly and remain the true and sole masters of ancient Dacia."

5186
CSO: 2700/93

RFE INTERVIEW WITH VIRGIL TANASE DISCUSSED

Bucharest ROMANIA LITERARA in Romanian 24 Dec 81 p 3

[Article by Vasile Baran]

[Txxt] Some eight years ago, it was warm (I know because I was thinking of taking a little sunbath along a stream passing through Cumpatul Sinaia), I met Virgil Tanase, a young man. At that time I was writing a scientific-fantasy novel, but I still did not know very well how it would be, and he lent me a book which, as he said, would help me "theoretically." That is even what the first chapter was called: "The Fantasy Between Theory and Expression," in which Roger Caillois unraveled the symbol of the "Octopus of Japan." The volume I borrowed actually was "20th Century." I read it all at one sitting and, at the same time, with pencil in hand, because it was very valuable to me in working out the novel which appeared the next summer, entitled " Island of the Mannequins" with the subtitle of "A Fantasy Novel" (I had not dared to also call it "scientific," since I had feared mathematics since I was a child). What is certain is that the fantasty only now was being produced. I had written on the borrowed book: Virgil Tanase, Villa 1, Palace pavilion, third floor, Room 328, thinking to take it to him. But he had left. Nobody could tell me where. And I was left with that "Century" with a cover represetning a Japanese statue. Being from Gorj, son of a peasant (here if you cannot give back something you borrowed, you keep it as something not to be touched until you find the owner!), I put it in the bookcase, in the most protected corner and went about my work, of course, with the thought that he would appear sometime. Despite this, from time to time, needing Caillois' study (this time for writing a new fantasy novel entitled "The Flat Earth," which appeared last year), I caught sight of that notation: Virgil Tanase, Villa 1, Palace pavilion, third floor, Room 328, and I was thinking: where could he be?Someone had told me that he had seen his name in the want ads of a Paris weekly in a column in which he was looking for "any" job. I asked myself, does he exist or not?

Until, at the end of 1981, I found news that he does exist. Virgil Tanase was invited by "Free Europe" radio to a discussion on the subject: "What chances does a Romanian writer have of being published in the west?" "What chances," he was asked, and he answered, "I am tempted to answer you with a paradox: at the same time, it is much easier than in Romania and much more difficult." His answer aroused interest.

I said to myself, let's see what is easy and what is hard.

And Virgil Tanase began explaining clearly, without any paradoxes:

"The young Romanian beginning writer must take into account that the French literary market is completely different from the Romanian one and, primarily, this method of trial, which is the literary review, does not exist. In Romania, a poem, a group of poems, skits, a portion of a novel may appear in literary reviews. In France--because I can only speak of the situation in France, which I know best--there are very few literary reviews which publish literature."

This would be the hard part. And what is the easy part?

Books,I tell myself. Then it is alright! Virgil Tanase, however, does not allow me to slide so fast toward the fantasy. Right away he adds: "Now we should know that the space can be rather long between the point at which a writer tries out his hand and the point at which he arrives at jumping over the lath, especially when it is in Paris, but, at the same time, if you have certainty and faith in your talent--very important--you can develop in awaiting this point."

Simple, but at the same time complicated. First of all it is a matter of talent. That is, a matter of something very important, as he himself emphasizes rightfully. Because outside of talent there would be nothing left to discuss. You can place the young aspiring writer even in a greenhouse with sun and fruit in the trees in full winter and bring him guitars, but if he hasn't got it, he hasn't got it! Then the space between the points, the point at which you start and the point at which you must jump over the lath. Because, look, it can happen, as a clown once said, for the horse to jump over you and not you over the horse. But even more serious is the length of this space which can be endless, as does happen. Anyhow, until now we have not heard of a Romanian writer who has left the country during our years to another part of the world and has become famous.

You give a book, it does not appear, but it is not a catastrophe. You give another one, the publishers translate it with their money, throw it out, "but even this is not a catastrophe." Then when does the catastrophe occur? Virgil Tanase answers: "Here I think it is a difficult problem because a poorly translated book is devaluated more that a manuscript."

But if"finally it appears?" That's good, I tell myself, the mouth of the catastrophe can close, but, look V. T. is asked a direct question: "What chances do I have to be a young writer in Paris?" and he, Virgil Tanase, answers, "I know from my own experience" and he explains:

"In France at least you cannot live from your writing except from a certain share of the sales and up. There are very few French writers who actually live from their writing and they all have side professions, either in education, in journalism or they work for a publisher; very little can be earned from one book: it is a percentage of the sales. For my last book, around 3 francs got back to me , the author, per copy."

He was asked: "How much do five francs represent of the price?" and he answers: "Just one-tenth. So I would have to sell 50,000 copies so be able to live at least one-two years from this book."

And he goes on:

"When a book in Paris is sold in several thousand copies, this is a great success. Here the possibilities do not exist to live from your writing."

Virgil Tanase's answer to the last question, "what advice would you give a young person who wants to come to Paris to try out his chance as a writer?" completely bursts the cloud of fantasy, and, like a cliff appearing before a ship, raises the reality:

"No matter what our talent would be, outside of just some cases of very great chances, there is a point between writing and the point of affirmation. All this time must be ensured, you have to have something to live from, you have to have peace to be able to write another book and I think we cannot have any illusions, even in the happy case where the book is published." "You have to have something to live from," V. T. says, and his confession seems to me to be one of the most natural: you have to have something to live from, no matter where you are and no matter what you are doing, in whatever profession you are working, you must be covered! However, what bothered me the most in this last answer was the unexpectedly serious finding: "You have to have peace to be able to write another book."

Because the peace which the person who abandons his country desires in no way is the same as the peace of the man who comes to his own home each night. No matter how many friends he makes there, he still is a foreigner. I was told about an important director, very respected in the countries where he was making movies as an artist of his country. But from the moment at which he asked for political asylum, everybody looked on him as a nobody. He no longer represented his nation, there no longer was a pride in his country. This occurrence was told to me by another director, who had admired him a lot, but now not even he respects him as before. It is not a good idea to stay too long in a place which is not your own, even as a guest.

"We cannot have any illusions," V. T. said in his answer, not "even in the happy case where the book is published." And he is absolutely right: A book is a life which cannot be described by fleeing from your own country.

So "Free Europe" radio, so concerned with the fate of writers from Romania, be they young or old, that it breaks your heart, gives us the real picture of what what the mirage of affirmation in the west means "right from the sinner's mouth." So even when the "literary" mentors of "Free Europe"--Monica Lovinescu and Virgil Ierunca--propose to scrape together their own "work," they cannot exceed the limits of some awkward collections of words, words, words.

Words which, no matter how much poison they throw out on the airwaves, are in flagrant contradiction even with the assertions of the hotbed which seeks only to denigrate the real conditions of the discovery, promotion and affirmation of talents in Romania.

The example which this very hotbed has given through V.T.'s confessions has been more than eloquent.

8071
CSO: 2700/109

WRITER UPSET BY CRITICISM OF ANONYMOUS CALLER

Cluj-Napoca TRIBUNA in Romanian 10 Dec 81 p 5

[Article by Ion Aurel Stoica]

[Text] Recently, I got a telephone call from someone who presented himself as a constant reader of TRIBUNA and he asked if I knew the expression "noblesse oblige." I answered that not only did I know it, I believed sincerely that nobility does have oglibations.

Further, he asked my profession and I answered that I was a mechanical engineer and some information about myself.

Continuing, without respecting the elementary rule of a telephone conversation of giving your name, he said he felt that as far as I was concerned I had rejected nobility as long as I was writing about philosophical, ethical, economic and physical problems, about people and personalities who had entered into the history of science, about the industrial revolutions, problems of biology, computers and, more recently, literary problems and others.

Because he did not wish to hear my point of view, I feel obligated to write something in my defense.

First, I state that I detest intellectual prostitution, people who read little, write and talk a lot, those who communicate words and not ideas, who waltz through the libraries and read only on the bus, who through a lack of culture do not belong to any system of thought, who have obtained their informative perfumes from discussions over a cup of coffee or a glass of Bacchus' liquor and only the words which could pierce the cigarette smoke got through to them; people who think they are cultured because they read police novels and do not fall asleep watching the scientific television series or the television encyclopedia programs, which I also enjoy and feel honor for the national television station; to them, I say that not everything that glistens is gold, that sand and bronze have wide usage in man's demiurgic process of changing his nature for his own good, but I do not replace gold as a symbol of value and, metaphorically speaking, did not inspire authors who theorized that ashen gold is the supreme individual and collective wealth of peoples and of humanity.

Second, I do not think that those who assert, spitting out the words, that meditation and particularly global meditation is a profession which you gain by a diploma or may be a means of existence are correct; I am convinced and I have innumerable

examples of people who through their very deep knowledge of their specialty, through their vast general culture, cultivating their passion and vocation for generalizations, came in the front door, coming from exact sciences to the citadel of global meditation, general and universal about life and knowledge; to deny someone the right to do philosophical meditation just because he did not graduate from the faculty of philsophy I think is at the least immorality and evilness, if not even ethnical troglodytism and it is identifcal with considering all graduates of this faculty as philosophers; prior judgments do not refer to me, I am trying to reflect modestly, because I like to feel that I am living, I do not claim to communicate invented valuable ideas, but I like so much what Spinoza wrote in his famous book, "Ethics": "free man thinks the least on death ; his wisdom is to meditate not about death, but about life." And I venture to add that optimism and pleasure with life are given by understanding the fact that nature probably can only create life through death, that this life in which the sum of born life is greater than the sum of death is that which ensures the continuity of the living and intelligence on this planet called earth; by this, I did not want to say that of all the animals man is the only one who is aware of the fact that individual life is finite in time that is, if he knows that life ends with death, then he should believe that death is the purpose of life. I am convinced that detachment from these dreadful tragedies, as well as the refusul of dissipation because life is short, can only be given to you by knowledge and meditation according to the natural qualities with which you were born and the information you have obtained with a lot of sweat and convulsion in the synapsis.But it is worth it.

Third, I confess that I have great admiration for the people who have the ability to have complete and all-encompassing knowledge. I admire them, and I envy them, I admire them and regret enormously much that I do not also have such qualities,but the aspiration for global knowledge crushes me because the universal aspect is the only one in which I fully believe. To calm myself, I am drawing from my memory the short belie that it is impossible for a single mind to master more than a minute specialized fragment of the sum total of universal knowledge.

Believing that the synthesis of acts and theories is an adventure, even if I have only incomplete and second-hand knowledge about some of them, I shall continue to communicate them as long as I have this opportunity through the amiability of the leadership and workers of the prestigious cultural magazine, TRIBUNA, even at the risk of becoming ridiculous in the minds of those who do not give their name when we talk on the phone.

Good luck, dear citizen who called me without having the courage to tell me who you are and what you want; because I know something, I am perfectly well aware of how little I know.

That is all I wanted to say in my defense, asserting that for what I communicate through writing I am responsible and nobody else.

8071
CSO: 2700/114

NEW CUSTOMS REGULATIONS APPROVED, PUBLISHED

Bucharest BULETINUL OFICIAL in Romanian Part I Nos 90-91, 27 Nov 81 pp 1-32

[Decree of the Council of State on the Approval of the Customs Regulations]

[Text] On the basis of Article 3 in the Customs Code of the Socialist Republic of Romania - Law No 30/1978, the Council of State of the Socialist Republic of Romania decrees:

Article 1. - The annexed Customs Regulation is approved and is an integral part of this decree.

Article 2. - This decree goes into effect on 1 January 1982.

At the same time, the following acts are abrogated:

- Decree of the Council of State No 278/1979 regarding food products that can be removed from the country by physical persons, as published in BULETINUL OFICIAL No 65 of 28 July 1979;

- Article 1, paragraphs 2 and 3, Article 2 and Articles 6-9 in Council of State Decree No 395/1976 regarding Import Customs Tariffs of the Socialist Republic of Romania, as published in BULETINUL OFICIAL Nos 109-110 of 9 December 1976;

- Decision of the Council of Ministers No 2145/1956 regarding the regulation of items received from abroad via postal packages;

- Decision of the Council of Ministers No 986/1958 regarding certain measures in connection with the receipt of items from abroad via postal packages;

- Decision of the Council of Ministers No 403/1961 regarding the regulation of bringing goods into or removing goods from the country by travelers, as published in COLECTIA DE HOTARIRI SI DISPOZITII ALE CONSILIULUI DE MINISTRI No 18 of 11 July 1961;

- Decision of the Council of Ministers No 93/1962 regarding the approval of the customs tariffs for physical persons, as published in COLECTIA DE HOTARIRI SI DISPOZITII ALE CONSILIULUI DE MINISTRI No 2 of 18 February 1962;

- Decision of the Council of Ministers No 1944/1968 for the approval of the Regulation regarding the customs system applicable to diplomatic missions, consular offices and the members of these offices, as well as to other persons conducting official missions who come into or pass through the Socialist Republic of Romania, as published in BULETINUL OFICIAL No 123 of 16 September 1968;

- Decision of the Council of Ministers No 202/1973 regarding bringing in or receiving from abroad certain durable goods by Romanian citizens, as well as their purchase of certain goods that are sold in-country for hard currency, as published in BULETINUL OFICIAL No 21 of 1 March 1973;

- Decision of the Council of Ministers No 1680/1973 and Decision of the Council of Ministers No 222/1974, as well as any other contrary dispositions.

[Signed] Nicolae Ceausescu, president of the Socialist Republic of Romania

Bucharest, 26 November 1981
No 137

Customs Regulation Table of Contents

Chapter I

The Payment of Duties on Export and Import Goods

Section 1
General Provisions

Section 2
The Presentation of Transports at Customs Units and the Presentation of the Accompanying Transport Documents

Section 3
The Customs Control of Transports at the Customs Border Units

Section 4
The Declaration of Goods and the Presentation of Them for the Payment of Duties

Section 5
The Customs Control of Goods

Section 6
The Provision of Assistance in the Loading and Unloading of Goods by Those Empowered to do so of the Producing, Supplying or Receiving Units

Section 7
The Check of the Customs Declaration and the Setting of Customs Tariffs. The Granting of Customs Clearances

Chapter II

The Customs Tariff

Section 1
Applying the Customs Tariff

Section 2
The Organization and Operation of the Customs Commission

Chapter III

The Temporary Movement of Goods and Other Items Across the Border. Storage, Transloading and Customs Transit

Section 1
The Temporary Movement of Goods and Other Items Across the Border

Section 2
The Storage of Goods in Warehouses

Section 3
The Transloading of Goods

Section 4
Customs Transit

Chapter IV

Customs Supervision

Chapter V

The Payment of Duties Within the Framework of Other Operations Involving the Movement of Goods Across the Border

Section 1
Bringing Goods Into or Removing Them From the Country Outside the Realm of Foreign Trade Activities by Legal Entities

Section 2
Bringing Into or Removing From the Country the Following Items: Samples, Reference Models, Tests Materials for Experiments and Research, and Publication, Advertising and Documentary Materials

Section 3
Providing Supplies to Transports Used in International Traffic

Chapter VI

Bringing Goods Into or Removing Them From the Country by the Diplomatic Missions and Consular Offices Accredited in the Socialist Republic of Romania, as well as by the Members of These Office

Chapter VII

Bringing Goods Into or Removing Them From the Country by Natural Persons

Section 1
The Declaration of Goods Brought Into or Removed From the Country by Natural Persons

Section 2
The Customs Control of Goods Belonging to Natural Persons

Section 3
The Temporary Introduction or Removal From the Country of Goods Belonging to Natural Persons and the Transit of These Goods Through the Country

Section 4
Limits for Goods Brought Into or Removed From the Country by Natural Persons

Section 5
The Application of Customs Tariffs for Goods Belonging to Natural Persons

Chapter VIII

The Temporary Movement of Automobiles Across the Border. The Guarantee of Customs Tariffs. Customs-Free Goods

Section 1
The Temporary Bringing in and Removal of Automobiles and Their Trailers From the Country

Section 2
The Guarantee of Payment of Customs Tariffs

Section 3
Goods That do not Fall Under the Category of Goods Brought Into or Removed From the Country

Chapter IX

Sanctions

Section 1
Customs Violations

Section 2
Determining Violations and Applying Sanctions

Chapter X

Final and Transitory Provisions

Annex No 2
Conditions and Limits Under Which Natural Persons can Bring in Goods or Remove Them From the Country

Annex No 3
Norms Regarding the Introduction of Food Products Into and the Removal of Them From the Country by Natural Persons

Annex No 4
A. The Customs Tariff for Goods Brought Into the Country by Natural Persons
B. The Customs Tariff for Goods Removed From the Country by Natural Persons

Annex No 5
Norms Regarding the Determination of Customs Values for Goods Belonging to Natural Persons

Annex No 6
Norms Regarding the Customs List and the Determination of the Origins of Goods

The Customs Regulation

In accordance with the principles and provisions of the Customs Code, this regulation contains the procedural norms and other norms regarding the carrying out of customs activities in the Socialist Republic of Romania.

Chapter I

The Payment of Duties on Export and Import Goods

Section 1
General Provisions

Article 1. - The goods slated for export and import and the means of transportation that cross the state borders of the Socialist Republic of Romania are subject to the payment of duties.

Article 2. - The payment of duties on goods and transports involves the following operations:

a) the presentation of transports and the accompanying transport documents at the customs units;

b) the customs control of the transports;

c) the declaration of the goods and the presentation of these goods for the payment of duties;

d) the customs control of the goods;

e) the check of the customs declaration and the setting of customs tariffs; the granting of customs clearance.

Section 2
The Presentation of Transports and the Accompanying Transport Documents at the Customs Units

Article 3. - At border crossing points, transporters of goods slated for export or import or the representatives of these transporters are required to present themselves, together with the accompanying documents, to the customs units.

Article 4. - For railroad transportation, the railroad organs are required to present the train's dispatch orders to the customs unit at the border station after the train has entered the country. The presentation of the dispatch order is done within the timeframe outlined for the technological handling of trains arriving from abroad.

Upon departing from the country, the dispatch order is presented to the customs unit prior to the train's departure within the timeframe established for the technological handling of the train in order to cross the state border. This time period will be at least 1 hour.

The dispatch order contains the number of each railcar, the bill of lading, the amount of goods and their names in Romanian. Upon leaving the country, this order will also show the number of the customs document and the issuing customs unit.

Article 5. - In transporting goods by highway, the transporter is required, upon the vehicle's entry or departure from the country, to present the vehicle's registration certificate and the documents accompanying the goods.

Article 6. - In transporting goods by sea or by river, the commander, the owner or the ship's agent who is transporting goods that are to be unloaded or transloaded is required to turn over to the customs unit, within 24 hours of docking, the original copy of the cargo manifest and to leave a copy of it.

When unloading or transloading operations are not going to be carried out, it is not necessary to leave a copy of the cargo manifest.

For ships loaded with bulk goods and instead of a cargo manifest, the commander, the owner or the ship's agent can present a notice that will give data to identify the cargo.

Article 7. - The cargo manifest will contain the number of each consignment or martime bill of lading or baggage receipt, the stamps and identifying names of the crates, and the name, quantity and, as the case may be, the gross or net weight of the goods, as well as the names of the supplier and the recipient.

Ships' agents are required to note on a copy of the cargo manifest the name of the goods in Romanian.

Article 8. - The commander, the owner or the ship's agent is required to leave at the port's custom unit a declaration of on-board provisions within 12 hours of the ship's docking. For strings of powerless-vessels in-tow, a single declaration of on-board provisions can be submitted for the entire convoy, with specific lists for each vessel.

Ships that stay for less than 12 hours and do not carry out unloading, loading or transhipping operations are exempted from the requirement to submit a declaration of on-board provisions.

In those cases where ships are required, in accordance with the law, to stop at Danubian ports to be cleared into the country the on-board provisions declaration is submitted immediately.

Article 10. - In the on-board provisions declaration, the commander, the owner or the ship's agent is required to declare to the customs units the following types of goods found on the ship:

a) weapons, munitions, explosive materials and psychotropic, intoxicating and toxic products and substances;

b) other goods that are prohibited from entering or leaving the country in accordance with the law;

c) tobacco products and alcoholic beverages belonging to the ship and its crewmembers;

d) stores and unused items of current use that belong to the ship;

e) unused goods and goods that are not of a personal use that belong to the crewmembers, as well as their valuable items.

The goods outlined in letter d) are not listed in the on-board provisions declaration if they are listed in the ship's documents.

The goods outlined in letters a) and b), as well as the tobacco products and the alcoholic beverages are maintained under a customs seal during the entire in-port period. The customs organs can also place a customs seal on other goods.

Article 11. - In transporting goods via air, the provisions referring to the ships' cargo manifests are applied appropriately, with the timeframe for submitting them being 3 hours.

The aircraft commanders are required to declare to the customs units any intoxicating, psychotropic and toxic substances and products on-board the aircraft.

Article 12. - The customs organs can request the submission of a provisions declaration in the case of transport categories other than ships from those persons who are responsible for these types of transports.

Article 13. - In transporting goods via the mail or by messenger, the mail organs and, as the case may be, the railroad organs are required to present a list of mail sacks or packages to the customs border units.

Section 3
The Customs Control of Transports at the Customs Border Units

Article 14. - The customs control of transports at the border crossing point is carried out at the customs units at the border by customs teams established according to the law, and it consists of identifying the means of transport on the basis of the accompanying documents.

Article 15. - In transporting goods via the railroad, the customs organs, in the presence of the railroad organs, check:

a) the existence of the railcars recorded in the dispatch order. When the customs organs find differences in the number of railcars, the Romanian railroad organs are required to appropriately modify the dispatch order;

b) the exterior of covered railcars that contain goods by checking the integrity of the seals, the windows, the roof, the walls and the floors;

c) the interior and the exterior of open railcars that contain goods;

d) the exterior of the locomotive, the engine room and the engineer's cab.

Article 16. - Railcars that do not meet the sealing conditions and railcars that have seals missing or seals that have been opened are also subjected to an interior customs control. Similarly, the customs organs check the goods contained in these railcars. The Romanian railroad organs complete an identification document which is also signed by the customs organs. This same procedure is also applied to mail sacks and packages.

If the seals are not those that were applied at the time of shipment, the organs check for the existence of the documents attesting to the placement of new seals. If the documents are missing, the customs organs note this fact on the train's dispatch orders and conduct an interior control of the transport vehicle and the goods. The results of this control is reported in a report.

The identification documents and the reports noted in this article are completed in accordance with international railroad regulations.

Article 17. - In transporting goods via highways, the customs organs check the exterior of the vehicle, the driver's compartment and, if need be, the refrigeration equipment. For highway vehicles not carrying a load, an interior check of the compartment is also made for goods.

If during the exterior check of the vehicle the organs find that seals are missing or that the seals applied at the time of shipment have been tampered with or the cargo compartment was tampered with, they conduct an interior check of the vehicle and a check of the cargo. The customs organs give the results of the control in a report on their findings, which they sign and give to the transporter, as well as a report on the customs declaration.

Article 18. - The customs organs can carry out the customs control at one of the customs units within the country's interior when the appropriate conditions do not exist for a customs control at the vehicle's point of entry into the country. In these cases, the vehicles transit the country under a customs seal or are accompanied by a customs official to the nearest customs unit in the interior of the country, in the direction of the vehicle's destination, where conditions exist for a customs control.

The transportation and goods handling costs, as well as those to cover the customs organs' travel, are paid by the transporter.

Article 19. - In transporting goods by sea or by river, the customs organs conduct the control upon the ship's arrival, after the health check.

The customs check upon a ship's arrival is conducted in the presence of the organs of the harbor master, the owner, the commander or the second officer, as well as the representative of the shipping agency.

Article 20. - The customs control upon a ship's arrival consists of an examination of the cabines, rooms, larders, restaurants and engine rooms in order to determine if there is agreement between the on-board provisions declaration and the actual goods that are subject to declaration. At the same time, the commander, the owner or the ship's agent give to the customs organs the original of the cargo manifest.

Article 21. - After conducting the arrival customs control, the customs organs leave for the use of the commander, the crew and the passengers the usual amounts of tobacco products and alcoholic beverages, depending upon the length of time the ship is to be in port and in accordance with the criteria established by the General Directorate of Customs.

The commander or the owner is required for the period of the ship's stay to use only those provisions and goods recorded in the on-board inventory and is responsible, together with the ship's agent, to the customs organs for any shortages or substitutions for the declared goods, as well as for any undeclared goods.

The customs organs make note on the on-board provisions declaration regarding any removal or introduction on-board the ship of goods subject to declaration and about any goods that are maintained or removed from under the customs seal.

Article 22. - When a ship unloads or loads goods in two or more Romanian ports, the customs organs in these ports make notes on the original copy of the cargo manifest regarding the operations that are carried out.

The customs organs verify the notes made in the ports where the ship has docked previously and receive a copy of the cargo manifest.

The provisions in paragraphs one and two also apply to the on-board provisions declarations.

Article 23. - The commander, the owner or the ship's agent is required to notify the customs organs of the ship's departure at least 6 hours in advance for the purpose of conducting the customs control.

The departure customs control consists of verifying the situation of the on-board provisions and the agreement between the cargo manifest and the customs declaration or the customs permits that were issued.

Article 24. - During the conduct of the ship's customs control, only the commander, the second officer or ill persons are allowed to enter or leave the ship.

Article 25. - The organs of the port's harbor master allows the departure of ships used in international traffic only after the customs organs approve the on-board provisions declaration and, if need be, the cargo manifest.

Article 26. - For ships under foreign flags that enter shipyards or tie up for winter, the commanders, owners or their agents are required to submit to the customs organs an on-board provisions declaration and a copy of the cargo manifest. At the same time, the ship falls under customs supervisions.

Article 27. - Ships or aircraft can dock or land at border points where customs organs operate.

In cases of force majeure or when there are seriously ill persons on-board ships or aircraft, the docking or landing is also permitted in places other than those points where customs organs operate. In these types of situations, the commander of the ship or aircraft is required to immediately notify the organs of the Ministry of the Interior or the first border guard post in order to ensure supervision, as well as the closest customs organs.

Article 28. - In the transport of goods using Romanian aircraft, the customs control in the aircrafts' interior is conducted immediately after landing, as well as prior to take-off. During this check, the organs verify if there are goods on-board in addition to those belonging to the aircraft in order to apply the customs system appropriate to their destination.

Foreign cargo and passenger aircraft are subjected to an interior customs control in suspicious cases or if the aircraft stay at the airport more than 6 hours beyond the take-off time listed in the flight schedule.

The customs control in the interior of Romanian aircraft is conducted upon arrival after the unloading of passengers, and for departures prior to the loading of the passengers.

Article 29. - The customs control on containers being shipped by any type of transport is conducted according to the standards outlined for checking covered railcars.

Section 4
The Declaration of Goods and the Presentation of Them for the Payment of Duties

Article 30. - Goods entering the country are immediately recorded by the customs organs in the documents register on the basis of the accompanying documents.

For those goods slated for export and for those in transit, the General Directorate of Customs can establish simplified documentation standards.

In the event of a lack of documents, the recording of the goods is done on the basis of the findings of the customs organs or other documents presented to the customs organs by those interested parties which will show the goods that are to be subjected to the payment of customs duties.

Article 31. - The declaration of goods and their presentation for the payment of customs duties are done by the importers, exporters or their representatives by submitting a written customs declaration.

The importers or the exporters can declare and present their goods for the payment of duties to the customs units at the border or in the country's interior.

Article 32. - Goods that arrive at the border for the purpose of being imported, but for which the declaring party cannot submit the customs declaration accompanied by the necessary documents, will be permitted to transit to one of the customs units in the interior of the country in order to make the duty payment. The costs stemming from these operations will be paid by the importer.

Article 33. - Goods that are being exported are declared and presented to the customs organs at the border together with the transportation documents as follows:

a) in transportation via railroads, at least 2 hours prior to the train's departure;

b) in transportation via highways, immediately after arrival at the border;

c) in transportation via the sea or rivers, immediately after the loading of each portion of the goods on-board;

d) in transportation via aircraft, during the day in which the aircraft is to cross the state border or at the most 2 days prior if the air transport request was submitted to the transporter.

Article 34. - The customs declaration for exports can also be submitted to the customs units in the country's interior on the condition that the goods will be presented to these units accompanied by the international transport documents at the most 24 hours prior to shipping.

In the case of container-transported goods, the customs declaration can also be submitted if it is accompanied only by the internal transportation documents, on the condition that the goods will be shipped towards a container port or terminal and the shipper will note on the shipping documents that the goods are slated for export, also indicating the country of destination. These transport movements are noted in the documents of the transport and shipping enterprise that receives them in the port or terminal of destination.

Article 35. - The declaration of goods that are being imported or are in transit is done within 5 days from the date of recording the goods in the documents register by submitting a customs declaration accompanied by the necessary documents.

The timeframe for submitting a customs declaration, in the case of transloading railcars that have different rail gauges, is computed from the date of the end of the transloading and weighing operations.

Goods that arrive in country via sea or river are declared within 5 days at the most from the end of the loading of the ship or after the unloading of each consignment of goods. Bulk goods are declared by quantities effectively unloaded.

Article 36. - Customs units can extend the timeframe for submitting a customs declaration in cases where:

a) the declaration of the goods is not possible because of a lack of markings, accompanying documents or other necessary elements;

b) the goods were incorrectly shipped or shipped prior to the delivery schedule.

The extension of the duty payment timeframe is done at the justified request of the importer, submitted within 5 days.

Article 37. - The customs declaration for exports and imports of newspaper and printed materials, electricity, goods tranported via pipelines, and other goods that are export or imported under special conditions can be periodically submitted at intervals established by the General Directorate of Customs.

Article 38. - The customs declaration is submitted to customs units together with the following documents:

a) the export or import authorization issued by the Ministry of Foreign Trade and International Economic Cooperation;

b) the goods transport document or in the absence of this other documents issued by the transporter containing the data referring to transportation;

c) the specific list, original invoices or their copies containing entries regarding the markings and identification numbers of the packages and the names and quantities of the goods;

d) other documents specified as annexes to the transport documents if these are necessary to identify the goods;

e) the certificate of origin in those cases outlined by this regulation;

f) the health-veterinary or phytohealth certificate issued, in accordance with the law, for the transport of animals;

g) other documents outlined in special laws.

Article 39. - The export or import authorization can be replaced by a document in which the exporters, importers or their representatives provide on their own responsibility the data contained in the authorization, in accordance with the norms established by the Ministry of Foreign Trade and International Economic Cooperation. This data refers to the number and the validity of the authorization, the type of goods, the recipient and the shipper.

Article 40. - The exporter or the importer is required to submit a customs declaration for the goods recorded in each transport document.

In the case of goods of the same type, which have the same destination, the same export or import authorization and are presented at the same time to the customs organs, a single customs declaration can be submitted for a number of transport documents.

Article 41. - The original copy of the customs declaration and, as the case may be, a copy of the specific lists or the original invoices or their copies are retained by the customs organs. The other documents presented are returned to the party making the declaration.

The customs organs can request and retain copies of any documents submitted for the payment of customs duties.

Article 42. - The customs declaration upon which the customs organs issue the customs clearance constitutes the executor title for pursuing and paying customs tariffs.

Article 43. - The quantity of the goods is declared by recording the gross or net weight in the transport documents and, if need be, another quantitative specific element, in accordance with the contractual provisions.

The quantity of the goods unloaded from ships can be declared in accordance with the data recorded in the transport documents.

The quantities recorded in the customs declaration can be corrected later, at the request of the declaring parties, on the basis of justifying documents.

In suspicious cases, the transporter is required to weigh the goods, with the costs being paid by the importer or exporter, at the request of the customs organs which record the weight in the documents. If conditions are not present to weigh the goods, the goods are directed by the transporter to the closest customs unit where such conditions exist.

Article 44. - The parties making the declaration can verify prior to making the customs declaration the type and quantity of goods that have arrived or that are being shipped, in the presence of the customs organs.

The modification or the completion of the customs declaration that is to be submitted can be done by the party making the declaration only up until the moment that the customs control of the goods begins and only under the party's signature.

Section 5
The Custors Control of Goods

Article 45. - In the customs control on exported or imported goods, there is an identification made of these goods on the basis of the customs declaration accompanied by the necessary documents.

Article 46. - Those parties making the customs declarations are required to present the goods for the control, to handle them and unpack them at the request of the customs organs and to repack them without damaging the goods. The cost for this is supported by those units for which these operations are carried out.

Article 47. - In the customs control of goods, the declaring party and the transporter take part in activities, except when the transport occurs via sea and river when the presence of the transporter is not mandatory. The control on goods found in warehouses or on loading ramps is also done in the presence of the administrator there.

Article 48. - Transport vehicles and crates containing goods for export that clear customs in the interior of the country are sealed by the customs organs immediately after the customs control is conducted.

Goods that are slated for export, controlled and assessed customs duties in the interior of the country are not subjected to a customs control at the border, where only the number, serial and integrity of the seal that was applied are checked on the basis of the customs export document.

Article 49. - Those transport vehicles and crates containing goods slated for export, assessed customs duties in the interior of the country and arriving at the border without customs seals, broken seals, incorrectly applied seals or seals that do not correspond to those mentioned in documents, as well as in vehicles and crates that no longer meet the sealing requirements, are checked by the customs organs at the border. The customs control is also conducted when there are suspicions that there are goods in the transport vehicles other than those listed in the documents.

When appropriate conditions do not exist for a customs control at the border, the transport vehicles are directed to the closest customs unit in the country's interior where conditions exist to conduct the control.

The transportation, handling, packaging and unpacking of goods for the purpose of a customs check are done by the party making the customs declaration, with the costs being paid by the units producing the goods for export.

Article 50. - The customs control on goods is conducted as follows:

a) bulk goods are checked by observation or examination in the transport vehicles where they are found, on loading ramps or docks or on the platforms in the container handling terminals;

b) goods packed in crates are checked by examination while on the transporting vehicle. When conditions do not exist to check the goods on the vehicle, the customs organs can request that the goods be unloaded;

c) goods packed in crates that are in warehouses, on loading ramps or docks or on platforms in container handling terminals are checked by examination by each consignment of goods;

d) goods transported by pipeline, as well as electricity, are checked from the point of view of quantity by reading installed meters.

The customs organs note in the customs document the number of crates opened for inspection.

Article 51. - The customs organs can also conduct the customs control at the export goods loading place or at the imported goods unloading place, depending upon the customs personnel available, if the goods are perishable or require special packaging and transport or if control conditions are not available at the border and if the complete loading and unloading of the transport vehicle is done in one place.

Article 52. - For the purpose of conducting a customs control at the place of loading, the shipping units have the following obligations:

a) to request in writing a control at the nearest customs unit at least 2 days prior to the date established for loading the transport vehicle;

b) to prepare the goods and to take the measures necessary so that the transport vehicle will correspond to the customs sealing conditions;

c) to ensure the loading of the goods at the place and on the date and hour that were established.

Article 53. - The customs control on the goods can be carried out, under the conditions of Article 51, at the unloading site by the nearest customs unit.

Article 54. - The customs organs can also carry out other operations for paying customs duties at the goods loading and unloading sites if all the conditions regarding exporting and importing are met.

Article 55. - Concomitantly with the customs control on goods there also is the customs control on the interior of the railcars and the highway vehicles that transport the goods. This control is carried out at the customs unit or at the goods loading or unloading site.

Section 6
The Provision of Assistance in the Loading and Unloading of Goods by Those Empowered to do so in the Producing, Supplying and Receiving Units

Article 56. - The goods producing or supplying units that have a significant amount of deliveries for export are obligated to provide assistance in loading transport vehicles by using their own empowered representatives.

The units mentioned in paragraph one are established by the Ministry of Foreign Trade and International Economic Cooperation.

The empowering of persons, by the producer or supplier units, who will provide assistance to the transport vehicles will be done with the approval of the organs of the Ministry of the Interior.

Article 57. - Those so empowered by the producer or supplier units making goods for export have the following obligations:

a) to verify whether the transport vehicles correspond to the customs sealing standards;

b) to carry out, prior to loading, a check of the interior of the transport vehicle and a check of all the goods that are loaded;

c) to permit loading into the transport vehicle only those export goods listed in the transport documents;

d) to check at the end of the loading operations whether only those goods listed in the transport documents are inside the transport vehicle;

e) to apply the proper seals to the transport vehicle after the end of the control.

After completing these operations, those so empowered will complete a note of assistance that will attest to carrying out the loading. For highway transports, the assistance note is also signed by the driver of the vehicle.

The assistance note is presented to the customs units by the transporter for the purpose of paying customs duties on the goods.

Article 58 - In the case of export goods loaded onto the same transport vehicle at a number of loading points, those so empowered carry out the following operations:

a) they check the seals applied at the loading points;

b) they retain the assistance note completed at the previous loading point;

c) they issue an assistance note totalling the goods found on the transport vehicle and mentioning the seals that were applied.

Article 59. - The provisions listed in Articles 48 and 49 paragraph one are also appropriately applied to those goods for which assistance was given in loading.

When appropriate conditions do not exist for a customs control at the border, the transport vehicles are directed to the nearest customs unit in the interior of the country or to a unit subordinate to the same central organ, as well as the producer or, as the case may be, the supplier unit that loaded the goods and where the customs control will be conducted.

The customs organs can send a customs official to accompany the goods to the interior of the country.

The transportation, handling, packaging and unpacking of the goods for the purpose of a customs control are done by the party making the customs declaration or by the unit to which the goods were directed.

Article 60. - The costs regarding the operations outlined in Article 59, as well as those involved in sending out an accompanying customs official, are supported by the goods producer or supplier unit.

Article 61. - The model and number of assistance seals needed by those persons empowered by the producer or supplier units making goods for export, as well as the model of the assistance note are established by the General Directorate of Customs.

The producer or supplier units making goods for export are required to provide, in accordance with the law, strict documentation of the assistance seals. These units can issue technical working norms regarding assistance in loading goods, with the approval of the General Directorate of Customs.

Article 62. - The customs organs establish the manner of training for personnel who have attributes in carrying out assistance operations and periodically reviews the fulfillment of obligations regarding assistance in loading goods by the producer or supplier units.

Article 63. - The Ministry of Foreign Trade and International Economic Cooperation can authorize, in cases of need, certain units receiving imports to provide assistance by way of empowering their own people to unload transport vehicles carrying imported goods.

The means of carrying out unloading assistance is established by the Ministry of Foreign Trade and International Economic Cooperation.

Article 64. - Violation of the obligations regarding assistance in the loading and unloading of goods by the persons so empowered by the units results, as the case may be, in disciplinary, material, civil, legal or criminal action.

Section 7
The Check of the Customs Declaration and the Setting of Customs Tariffs. The Granting of Customs Clearances

Article 65. - For the purpose of granting customs clearances for exports or imports, the customs organs check if:

a) the type of goods found during the customs control corresponds to that recorded in the customs declaration;

b) the quantity of goods recorded in the transport documents or in the specifying lists correspond to those in the customs declaration;

c) the number and validity of the authorization recorded in the customs declaration correspond to the date in the export or import authorization or in the document that replaces it.

Article 66. - For imports, in addition to the operations outlined in Article 65, the customs organs check the tariff and tax parameters recorded in the customs declaration on the basis of the customs tariff.

When there is disagreement in the customs declaration with regards to the tariff parameters or the customs tax, the customs organs modify this document and certify the changes made.

Article 67. - The units authorized to carry out foreign trade operations are empowered to calculate the amount of the customs tax for imported goods and to forward the sums to the state budget.

Article 68. - The customs clearance is granted in writing after fulfilling the conditions and formalities of paying the customs duties.

The customs clearance has a provisional nature until the transfer of the amount of the customs duties owed into the state budget.

Article 69. - Goods for which a customs clearance has not been issued remain under customs supervision at the expense of the exporter or importer or can be maintained in the custody of the transporter or the party making the customs declaration until the situation is clarified.

Goods slated for export which have not been issued a customs clearance can be returned to the interior of the country by the transporter at the request and at the expense of the exporter.

Article 70. - The customs organs notify in writing the management of the units authorized to conduct foreign trade operations in cases where they find that the type of

goods presented for export do not correspond to those listed in the export or import authorization or the recipient is one other than that mentioned in the documents.

Article 71. - If at the paying of the customs duties it is found that the export goods have deteriorated or are damaged, inappropriately packaged or inappropriately transported, the customs organs retain these goods until they are checked by the local organs of the General State Inspectorate for the Quality Control of Products, which will establish the appropriate measures.

The party making the customs declaration informs the exporting enterprise of those goods not accepted for export.

Article 72. - For the transportation of goods via sea, river and air, disagreements between the declared data and those found at the time for paying duties are resolved as follows:

a) the differences between the data recorded in the cargo manifests and the goods actually loaded or transloaded are brought into agreement on the basis of the documents showing the findings for the goods actually unloaded;

b) for differences on the low side between the goods and quantities actually unloaded from the ship or aircraft and the goods and quantities found at the time of paying duties in the warehouses or on the docks, the customs organs pursue the payment of the customs duties that are due from the managing unit, after which the differences are removed from the customs documents;

c) for difference on the high side between the goods and the quantities recorded in the cargo manifests and those recorded in the export customs declarations, the cargo manifest or the export customs declarations are corrected, as the case may be, if the additional goods met the conditions for being permitted to be exported;

d) for differences on the low side between the goods and quantities recorded on the cargo manifests and those recorded in the export customs declarations, the cargo manifest or the export customs declaration, as the case may be, are corrected.

Article 73. - For the transportation of goods via railroad or highway, for differences between the data recorded in the transport documents and those in the customs declaration the customs organs ask the party making the declaration to correct these documents.

If it is found that the differences are the result of tampering with the transport vehicles or crates while on the territory of the Socialist Republic of Romania, the transporter is obligated to complete a findings document, on the basis of which the differences will be removed from the customs documents, after the transporter has paid the customs duties.

Article 74. - For mail transportation, for differences between the data recorded in the postal documents and the goods found during the check, the postal organs complete a findings report that is approved by the customs organs. On the basis of these reports, the differences are removed from the customs documents.

If it is found that the differences are the results of tampering with the transport vehicles or crates while on the territory of the Socialist Republic of Romania, procedures are followed in accordance with Article 73 paragraph two, in this case with the customs duties being paid by the postal organs.

Article 75. - If upon acceptance of the goods differences are found compared to the data recorded in the customs declarations, the importer or the exporter can request, in writing, the customs organs to correct the customs declarations, after presenting the necessary justifications.

Article 76. - When it is found that the differences that have appeared are a result of the influence of natural factors that occurred during transportation, handling or storage, the statements regarding the declared weight are modified appropriately by the transporter on the basis of legal regulations and are noted in the customs documents.

Article 77. - The importing enterprises are obligated to inform the units using the imports regarding the disagreements between the goods received and the data recorded in the transport documents.

Article 78. - Goods arriving from abroad without transport documents are subjected to customs duties on the basis of a declaration submitted by the importer to the customs organs which shows the origins of the goods.

Article 79. - For those goods that are declared and presented for customs duties payments through representatives, these representatives transmite the customs declaration accompanied by documentary memoranda to the importer or exporter, which has the obligation to preserve them and present them for a customs control.

Chapter II

The Customs Tariff

Section 1
Applying the Customs Tariff

Article 80. - The customs tariff for goods imported into the Socialist Republic of Romania is approved by a decree of the Council of State.

Customs duties are not applied on exported goods.

Article 81. - The applicable customs duties are those in effect on the date of recording the goods at the customs units.

The customs duties are applied to the in-customs value of the imported goods.

Article 82. - The in-customs value for imported goods consists of the import price, composed of:

a) the foreign price converted to lei in the case of imported goods whose price includes foreign costs for transportation, handling and insurance, as well as any other costs in hard currency;

b) the foreign price converted to lei to which foreign costs are added for transportation, handling and insurance, as well as any other hard currency costs, in the case of goods whose foreign costs do not include these costs and on the basis of transport and insurance documents;

c) the foreign price converted to lei and increased by a percentage amount if there are no transportation, handling and insurance documents at the time that the customs duties are calculated.

Article 83. - The percentage amount mentioned in Article 82 letter c) is established by the units authorized to carry out foreign trade operations and represents the average amount of transportation and insurance costs over the enterprise's foreign routes for the previous semester by group of products and type of trade.

In the case where one of the elements outlined in paragraph one is missing, the percentage amount is figured from the freight costs or the transportation and insurance tariffs forwarded by the Romanian transport enterprises and the State Insurance Administration.

Article 84. - Handling costs in Romanian ports and demurrage charges, as well as any type of premium, are not included in the in-customs value of the goods. Reductions and rebates of any type are taken into consideration in establishing the in-customs value.

Article 85. - The conversion of foreign prices into lei in order to establish the in-customs value is done in accordance with legal norms.

Article 86. - In the absence of documents that attest to the value of imported free-of-charge goods and for which customs duties are owed, the importer establishes the in-customs value on the basis of the import prices used for such goods or similar goods.

Those goods that are temporarily received from abroad and then, later, brought in as imports, are subjected to customs duties, which are levied on the in-customs value at the time the goods entered the country.

Article 87. - The units authorized to carry out foreign trade operations pay customs duties within the timeframes established by the Ministry of Finance.

Article 88. - The failure to adhere to the timeframes outlined in Article 87 results in increases of 0.05 percent for each day of delay, calculated on the amount of customs duties owed.

The Ministry of Finance can approve the reduction or exemption of payments because of delays.

Article 89. - Units where goods under customs control have been withdrawn from the units' administration are required to notify the customs organs, which will then complete customs findings reports. The customs duties on the withdrawn goods are paid by these units within 5 days of the completion of the customs findings reports.

Article 90. - The reports outlined in Article 89 constitute executor title and contain:

a) the unit which is responsible for the administration of the goods;

b) the circumstances under which the withdrawal was committed;

c) the value of the goods, the amount of the customs duties and the legal timeframe for payment.

The report is forwarded, together with payment bill, to the unit responsible for the administration of the goods. In the case of non-payment, the report is forwarded for action to the banking or financial organs, as the case may be.

Article 91. - Goods that are imported under the condition of a specific use and which, later, are used for other purposes are subjected to the customs duties schedule according to the new purposes.

The importer or, as case may be, the user of the imports is required to notify the customs organs of the new destination of the goods and to meet the obligations stemming from modifying the destination of the goods.

Article 92. - In cases in which later checks show that the customs duties were not paid in full, the remaining differences, as established 1 year from the date of the payment of duties, are paid by the importer within 5 days from the date of notification.

Overpayments, uncovered as a result of certain later checks or claims that have been submitted and determined within 1 year from the date of the payment of duties, are returned to the appropriate parties within 30 days from the date of setting the difference due.

Repayments are made by the units that levied the duties from their current customs duties receipts.

Article 93. - Claims regarding the levying of customs duties are resolved by the chief of the customs unit where the duty payments are made.

Objections to the solution given by the chief can be made, within 30 days from the date of receiving the solution, to the General Directorate of Customs, whose decision is final and executory.

Article 94. - Goods that are slated to be sold for hard currency are levied customs duties upon being imported at the moment they are released from customs, but without the payment of customs duties, according to the provisions of this regulation.

If, after levying customs duties at the time of import on goods slated to be sold for hard currency, these goods are directed to other purposes, customs duties will be owed.

Imported goods to be sold for hard currency that are the object of a consignment contract can be returned to the foreign supplier on the basis of documents providing for their importation.

Article 95. - Consumer goods imported within the framework of a direct exchange of goods are exempted from customs duties on the basis of reciprocity.

Section 2
The Organization and Operation of the Customs Commission

Article 96. - The Customs Commission carries out the attributes established in the Customs Code with regards to the proposals to reduce, exempt or suspend customs duties.

The Customs Commission is headed by the minister of foreign trade and international economic cooperation or by one of his deputies and is composed of a representative from the Ministry of Foreign Trade and International Economic Cooperation, the Ministry of Finance and the State Committee for Prices, designated by the leadership of these organs.

The secretariat of the Customs Commission is provided by the General Directorate of Customs.

Article 97. - The Customs Commission meets whenever it is necessary by being convened by the minister of foreign trade and international economic cooperation.

The Customs Commission makes decisions with the approval of all its members.

In order to resolve proposals forwarded for examination, the Customs Commission can request the necessary documents and economic analyses from the ministries or other interested central organs.

Chapter III

The Temporary Movement of Goods and Other Items Across the Border. Storage, Transloading and Customs Transit

Section 1
The Temporary Movement of Goods and Other Items Across the Border

Article 98. - The units authorized to carry out foreign trade operations can temporarily send abroad or receive from abroad those goods that fall within the purpose of their activities and in those cases outlined in the Customs Code.

Article 99. - The temporary sending abroad or receiving from abroad of goods involving payments of any kind is authorized by the Ministry of Foreign Trade and International Economic Cooperation, which also establishes the timeframe for completing these operations.

For other operations, the timeframes are established by the customs organs in accordance with the purpose and nature of the activities that require temporary movement, without exceeding 2 years.

Article 100. - The timeframes that are established can be extended by the organs that authorized the operations, at the justified request of those interested.

The extension of operations beyond the 2-year time limit can be approved by the Ministry of Foreign Trade and International Economic Cooperation.

Article 101. - Goods that are temporarily received from abroad can be used only for the purpose recorded in the customs declaration. If the goods are received for processing, with or without the addition of indigenous or foreign materials, this will be noted on the customs declaration.

Those responsible for the operations are required to notify the customs organs of changes in the initial use or destination.

The temporary operations carried out by one party can be transferred to another party, with the prior approval of the customs organs, only if the second party meets the conditions for carrying out the operations.

Article 102. - For the temporary receipt of goods that are not exempted from customs duties in the Customs Tariff Schedule, the parties will mention in the customs declaration the in-customs value and the amount of the customs duties.

The customs organs can request that the parties making the customs declaration submit specification lists, technical documents, photographs and plans, and can also take other necessary measures to identify the goods.

Article 103. - The customs declaration for the temporary receipt or sending of goods, on the basis of which the customs organs have issued the customs clearance, constitute the executory title for the payment of the customs duties due in cases where the operation was not completed within the timeframes granted.

Article 104. - The following goods can be temporarily sent or received without submitting a customs declaration:

a) transport vehicles used in international traffic, as well as spare parts needed to repair these vehicles that are on these vehicles or sent separately;

b) containers, pallets, special containers, bottles, drums, crates, as well as other similar goods used in international traffic;

c) vehicle tarpaulins and supplies listed in the documents accompanying the transport vehicle;

d) shelves, grates, partitions, shutters and other objects found on the transport vehicles.

Article 105. - Operations for temporary sending and receipt are concluded by:

a) the return to the country of the goods temporarily sent abroad or the export of these goods, in accordance with legal norms;

b) the return abroad of those goods temporarily received or the importation of these goods, in accordance with legal norms;

c) the customs organs' removal from their records of the operations of temporarily sending goods abroad, if the hierarchically superior organ of the party conducting the operations confirms the existence of certain circumstances that make it impossible to return the goods or when the goods are not returned for economic reasons;

d) the customs organs' removal from their records, without the payment of customs duties, of the operations of temporarily sending goods abroad, if there are reasons of force majeure or other circumstances that make it impossible to return the goods or if the goods were destroyed.

For the return abroad of those goods resulting from processing, the foreign trade enterprises will make note in the customs declaration that they are the result of the processing of goods temporarily received for this purpose.

Article 106. - Operations to temporarily receive or send goods can be concluded for all the goods that are involved in the operation or for a portion of them.

The customs organs and the parties involved in the operations are required to maintain documents on the temporary receipt or sending of goods until the total completion of these operations.

Article 107. - When the temporary sending or receiving operations are not completed within timeframes, the customs organs take the customs duties within 30 days from the date of findings if these duties are owed and retain them for a period not to exceed 30 days.

If upon the expiration of this timeframe the temporary operation is not completed, the sums are turned over to the state budget and the operation is removed from the customs organs' records.

The customs organs notify the Ministry of Foreign Trade and International Economic Cooperation of the operations involving the temporary receiving or sending of authorized goods that were not completed on-time. In other cases, the customs organs notify the Ministry of Finance.

Article 108. - In completing the operations of temporarily receiving or sending goods, the party making the customs declaration is required to present the customs declaration used in the temporary receiving or sending together with the documents necessary to identify the goods.

In cases where the operation is concluded at another customs unit, this unit is required to forward the customs document within 15 days to the initial customs unit.

Article 109. - In the temporary introduction or removal of goods from the country, outside of the foreign trade activities and without making payments of any type, the legal entities are required to confirm in writing that the goods are necessary in order to achieve the object of their activities. For these operations, it is mandatory to have a guarantee for the payment of the customs duties, when such duties are owed.

The timeframes for the operations outlined in this article are established by the customs organs in accordance with the duration of the activities for which the goods were temporarily removed or introduced.

Article 110. - Goods for the supply and maintenance of the headquarters of the representatives and the offices of the commercial companies and foreign economic organizations cannot be the object of operations for the temporary introduction of goods into the country, with the exception of the cases listed in Article 151.

Article 111. - The use of goods temporarily sent abroad by the units authorized to carry out foreign trade operations and the sale in-country of those goods temporarily received by these units are approved by the Ministry of Foreign Trade and International Economic Cooperation.

The provisions in paragraph one are also applied to those goods temporarily removed or brought into the country by natural persons outside of the realm of foreign trade activities.

Article 112. - Foreign goods can be released into customs custody on the basis of a release-reception report for a timeframe established by the customs organs, with guarantees for the customs duties. The conclusion of these operations is carried out in accordance with the norms contained in this section.

Section 2
The Storage of Goods in Warehouses

Article 113. - Foreign goods can be stored temporarily under customs supervision, with guarantees for the customs duties. For these goods, storage fees are owed, which are levied by the units having the storage areas, in accordance with the established charges conforming to the legal norms regarding prices and tariffs.

Article 114. - Requests to the units authorized to carry out foreign trade operations for the storage of goods are presented to the General Directorate of Customs for notification and to the Ministry of Foreign Trade and International Economic Cooperation for approval.

The storage of goods in warehouses that are not the object of foreign trade activities is approved by the customs organs.

The approval for storage can authorize that the goods in storage be sorted, tested, treated, packed, marked or subjected to certain similar operations.

The timeframe for holding goods in storage is established in the storage approval. Extension of this timeframe is granted by the organs that gave the storage approval, upon a justified request from the party involved.

Article 115. - In the case of removing goods from storage, the party involved in the operation is required to submit within 5 days the necessary documents for the purpose of completing the customs formalities appropriate to the new destination.

The storage customs declaration constitutes an executory title for collecting the customs duties owed.

Article 116. - The parties involved in the storage are required to maintain records on the stored goods.

The customs organs have the right to verify whenever they feel it is necessary the documents regarding the storage and the goods being stored.

Article 117. - Goods, including supplies, unloaded from ships wrecked or damaged in the national or territorial waters of the Socialist Republic of Romania are subject to the provisions regarding storage.

Section 3
The Transloading of Goods

Article 118. - The transloading of goods covered by customs can be done directly from one means of transportation to another or through the temporary storage of the goods.

Article 119. - Transloading operations are carried out under customs supervision within the area of the customs units.

In cases of necessity, the customs organs can approve the transloading of goods in other locations.

Transloading is done on the basis of a permit issued by the customs organs.

Article 120. - In railroad stations where the transloading of goods from railcars having different rail guages takes place, the transloading is done without a permit under customs supervision. The transporter is responsible for the type and quantity of the goods transloaded.

Article 121. - In the case of force majeure or technical defects in the transport vehicle, the transloading can also be done in locations where customs organs do not operate, but in the presence of militia organs or those of the local state administration.

The transporter is required to certify in transport documents the type and amount of goods transloaded, to seal the transport vehicles and to present them to the nearest customs unit for the purpose of completing the new customs documents.

Article 122. - After carrying out the transloading, in accordance with Article 121, the customs documents and the transport documents are appropriately modified and are approved by the customs organs, which will take the measures to seal the transport vehicles.

Section 4
Customs Transits

Article 123. - Goods that are not assessed customs duties upon their entry in the country can be transported under customs transit on the territory of the Socialist Republic of Romania under customs supervision, between two customs units, with guarantees for the customs duties in accordance with this regulation.

Those goods for export that have cleared customs in the interior of the country are considered under customs transit until they reach the border.

Article 124. - The clearing of goods in transit consists of an exterior customs check of the transport vehicle and a check of the agreement between the customs transit documents and the accompanying transport documents.

In case of suspicions, the customs organs also conduct a customs check of the goods in transit.

Article 125. - The parties involved in the transit are the transporters of the goods. They are required to present a customs transit declaration, directly or through their representatives, to the customs organs.

The customs organs can request that the customs transit declaration be accompanied by specifications or invoices which show the value of the goods in transit. The customs transit declaration is approved by the customs organs.

For goods of the same type found in a single transport vehicle and having a number of transport documents and a single destination, a joint customs transit declaration is submitted.

The data recorded in the customs transit declaration must agree with that in the accompanying transport documents and the other documents.

Article 126. - For goods cleared for export in the interior of the country, the customs transit is conducted on the basis of an export customs declaration, without being subject to confirmation by the customs organs at the border.

Article 127. - The General Directorate of Customs can order an exemption on the submission of the customs transit declaration for complete railcars contained in trains whose destination is the territory of another country and which travels on the territory of the Socialist Republic of Romania with changes to the trains' consist.

In the cases listed in paragraph one, the transport document, stamped with the words "TRANZIT VAMAL" [Customs Transit], takes the place of the customs transit declaration and has the same effects.

Article 128. - The timeframe for the goods brought into the country and transported in-transit is established by the customs units according to the type of transport vehicle and the destination of the goods, up to 45 days.

Within the framework of the established timeframe, the party making the transit is required to present the goods, together with the customs transit declaration and the accompanying documents, to the destination customs unit, which will confirm the receipt of the transit to the unit that issued the approval for transit, within 15 days.

Article 129. - The customs transit declaration constitutes the executory title for the payment of customs duties in cases where the transporter does not present the goods to the destination customs unit within the timeframe established or presents them with some missing.

In these situations, if there are no documents attesting to the price, the in-customs value is in all cases considered to be the average price by ton and group of products charged within the framework of import or export operations by those units authorized to carry out foreign trade operations and which are communicated to the customs organs upon request.

The customs unit that issued the customs transit declaration levies the customs duties that are owed after it has requested information from the destination customs unit regarding the arrival of the transiting goods.

Article 130. - A transit can also be accomplished between a customs unit and the headquarters of an import-using unit on the basis of approval from and respect for the procedures established by the Ministry of Foreign Trade and International Economic Cooperation.

Article 131. - The organs of the Romanian railroad are required to present, upon request, the necessary documents and information regarding customs transits to the customs organs.

Article 132. - The international customs transit documents listed in agreements and understandings to which the Socialist Republic of Romania is a party replace and have the same effect as the customs transit declarations.

Article 133. - In-transit goods that are used on the territory of the Socialist Republic of Romania are subject to authorization from the Ministry of Foreign Trade and International Economic Cooperation.

Goods cleared for export which can be used directly are exempted from authorization if, in advance, a request was made to annul the customs declaration.

Chapter IV

Customs Supervision

Article 134. - Customs s pervision is organized at each customs unit according to the specific nature and requirements of the activities.

Article 135. - Customs supervision is principally achieved by:

a) the establishment of permanent or temporary, fixed or mobile supervision posts on transport vehicles, at points of access for persons in ports and airports, at ramps to ships and aircraft, in storage areas and in other places where goods and other items are subject to customs procedures;

b) the carrying out of objective controls on transport vehicles or in those places where goods are found under customs control;

c) the carrying out of customs control on all goods that cross the state borders during certain times and for certain categories of goods;

d) the application of customs seals on goods, transport vehicles and points of access to areas where goods subject to customs are found;

e) the maintenance of documents on goods subject to customs in registries or in customs documents.

Article 136. - The following are subject to customs supervision:

a) goods that have not cleared customs procedures upon entry into the country;

b) goods in transit;

c) goods that cleared customs procedures upon leaving the country;

d) ships under foreign flags and foreign aircraft while they are in territorial waters or in ports and, as the case may be, at airports;

e) ships under the Romanian flag and Romanian aircraft while they are carrying out operations to load, unload and transload goods.

Customs supervision is not applied to those goods found in units specializing in sales in hard currency, as well as those that were sold for hard currency.

Article 137. - Customs units that operate in ports exercise supervision in the port area and in the roadsteads, on boats and on pontoons, as well as of the goods on persons who enter, leave or carry out their activities in these ports.

Customs units that operate at highway points, airports and railroad stations carry out their supervision in these areas. For railroads, customs supervision is also carried out during the customs check in passenger trains.

Article 138. - The customs units in the interior of the country that operate in railroad stations, in post offices or in their own areas exercise their supervisory attributes in these places, as well as in other places where the customs organs go for the purpose of carrying out certain customs operations.

Article 139. - In free ports and zones, the customs supervision is carried out through:

a) the organization of mobile customs teams outside those perimeters in which the specific operations of the free ports and zones are carried out;

b) the organization of customs control points at the points of access for goods, persons and transport vehicles that connect together the perimeters within which the specific operations of the free ports and zones are carried out on the customs territory of the Socialist Republic of Romania;

c) other measures of customs supervision listed in the normative acts for creating and operating free ports and zones.

Article 140. - The conditions necessary for the proper operation of customs supervision and control for the free ports and zones are ensured by the administrations of these ports and zones by joint agreement with the customs organs.

The free ports' and zones' administrations are required to notify the customs units in writing regarding the measures they have taken with regards to the prohibited goods found on transport vehicles that are to carry out operations in the free ports and zones.

Article 141. - The goods subject to customs are placed under a customs seal, with the exception of parcel post deliveries, in-transit postal sacks, goods placed in storage and those that are the object of temporary introduction or removal operations.

The seals applied by Romanian legal entities or foreign legal entities can be assimilated by the General Directorate of Customs by the application of customs seals.

Article 142. - Customs seals are applied to doors, windows or other systems of access to the transport vehicles.

In the sealing of parcels, these parcels must be packaged in such a way so that the seal can be applied over the packaging and the parcel cannot be opened to its contents with breaking the seal or without leaving visible traces of the attempt.

Article 143. - Transport vehicles and the areas where goods are under customs control can be sealed if they meet the following conditions:

a) the construction will permit the removal or introduction of goods only through openings that can be sealed;

b) the construction will be sufficiently solid to prevent the breaking of the walls, floors or roof, without leaving traces of the attempts;

c) the construction will not permit the entire or partial removal of the walls, floors or roofs and their replacement, without leaving traces that can be seen from the exterior;

d) the doors, windows and piping will be equipped with rings or other devices that will permit the easy application of the customs seals.

Chapter V

The Payment of Duties Within the Framework of Other Operations Involving the Movement of Goods Across the Border

Section 1
Bringing Goods Into or Removing Them From the Country Outside the Realm of Foreign Trade Activities by Legal Entities

Article 144. - Romanian legal entities can bring goods into or remove them from the country outside the realm of foreign trade activities under the following conditions:

a) the goods will be received or sent without payments of any kind being made;

b) the parties involved will present to the customs organs favorable statements from the central or central organs to which they are subordinate in the case of goods whose value exceeds 25,000 lei or for goods that are not exempted from the payment of customs duties.

The conditions listed in letter a) do not refer to those goods brought into the country by legal entities which, in accordance with the law, have the right to use their own hard currency funds.

Article 145. - Donations can be received by Romanian legal entities under the conditions outlined in law.

The exemption of customs duties on donations, according to Article 30 in the Customs Code, is applied on the basis of a written confirmation from the donor which shows that the goods were sent with a clear title.

Article 146. - The customs tariff schedule that is applied to goods brought into the country by legal entities outside the realm of foreign trade activities is the one listed for importing goods. Customs duties are not applied when removing goods from the country.

Automobiles, as well as items and parts of them, are subject to the tariff schedule listed for goods belonging to natural persons.

Article 147. - The customs organs establish the amount of the duties, take payment of them and forward them to the state budget.

Article 148. - The in-customs value for goods brought into the country by legal entities outside the realm of foreign trade activities consists of the foreign price converted into lei plus the transportation and insurance costs incurred during the foreign travel.

In the absence of documents attesting to the transportation and insurance costs incurred during the foreign travel, 10 percent is added to the foreign price.

The conversion of foreign prices into lei in order to establish the in-customs value is done, according to legal norms, under the conditions established in the order from the minister of foreign trade and international economic cooperation.

When there are no documents regarding the value, the customs organs establish the in-customs value by comparing them to similar goods brought into the country previously or for which they have foreign price documentation.

Article 149. - The following are exempted from customs duties payments:

a) goods brought into or removed from the country by Romanian military organs and units, those slated for use in national defense, including transport vehicles that are used to carry out these operations, on the basis of reports forwarded to the customs organs by the military organs;

b) parcels that constitute diplomatic or consular pouches that are received or sent by the Ministry of Foreign Affairs, with the condition that they bear the phrase "diplomatic correspondence" or "consular correspondence," as the case may be, that they are accompanied by a "courier voucher" and that they are sealed by the sender;

c) goods brought into or removed from the country by the organizations and organs listed in Annex No I (this annex was forwarded to the interested institutions).

Article 150. - The following are exempted from the payment of customs duties:

a) goods received by the Society of Red Cross of the Socialist Republic of Romania;

b) goods arriving for the National Bank of the Socialist Republic of Romania or the Romanian Bank of Foreign Trade within the framework of the objectives of their activities.

Article 151. - Foreign legal entities can bring goods into the country only with the payment of customs duties, with the exception of documentary and publication materials, advertisement items, models, prototypes and goods for fairs, expositions, congresses, conferences, symposia, competitions and other similar events that are permitted without the payment of customs duties according to this regulation. The Ministry of Foreign Trade and International Economic Cooperation can establish the limits for certain goods that are brought into the country.

The representatives and offices of foreign commercial companies and economic organizations can remove the following at the end of their activities without paying duties:

a) goods brought into the country for which customs documents are presented;

b) goods acquired in the Socialist Republic of Romania for their normal needs, if these goods were paid for in hard currency or in lei stemming from an exchange of hard currency, with the presentation of a document showing the manner of payment.

On the basis of reciprocity, reductions or exceptions to the payment of customs duties are applied or the temporary introduction of goods is granted, without guarantees for the payment of customs duties, in the case of goods brought into the country to equip and maintain the representatives and offices listed in paragraph two. Fulfillment of the conditions of reciprocity are confirmed to the customs organs by the interested central Romanian organ.

Article 132. - Goods for equipping the representatives and other Romanian units headquartered abroad can be removed from the country or returned to the country without the payment of customs duties, based on the address of the sending or receiving unit which shows that the goods are recorded in their accounting documents.

Section 4
Bringing into or Removing From the Country the Following Items: Samples, Reference Models, Tests Materials for Experiments and Research, and Publication, Advertising and Documentary Materials

Article 133. - Samples are considered those goods or parts of goods received free from foreign partners to learn, test or analyze their technical characteristics for the purpose of importing or producing them in-country, as well as those sent free to foreign partners for the purpose of testing the foreign markets or obtaining orders.

By "samples having commercial value," it is understood to mean those goods or parts of goods that can be given uses other than that of samples.

By "samples without commercial value," it is understood to mean those goods or parts of these goods that are sectioned, divided, taken apart, perforated or were subjected to other similar operations.

Article 134. - The units authorized to carry out foreign trade operations can bring in or remove from the country, not paying customs duties, representative samples of the goods in their field of activity.

The bringing in or removal of samples is done on the basis of a customs declaration for the samples. The units are required to register the samples in their accounting records on the basis of the customs declaration and are responsible for the administration and use of these samples in accordance with the purpose for which they were received.

Article 135. - Customs declarations for the removal of samples from the country will be signed by the persons who legally represent the user units.

The units authorized to carry out foreign trade operations are responsible for the value and the quantity of the samples forwarded to the foreign partners, as well as for the opportunities for such operations.

Article 156. - The customs declarations for the introduction of samples into the country can also be signed by the party making the declaration, as empowered by the user.

The units authorized to carry out foreign trade operations are required to confirm, either directly or through their representatives, that the samples brought in or removed from the country fall within the scope of their activities. In contrary cases, the customs organs do not permit these operations to occur and inform these units' hierarchically superior organs.

Article 157. - The economic representatives, agencies and sections of other countries within the Socialist Republic of Romania can bring into or remove from the country, without payment of customs duties, samples and specimens, on the basis of requests submitted to the customs organs.

Article 158. - The representatives of foreign commercial companies and economic organizations and the economic representatives authorized to operate in the Socialist Republic of Romania, as well as other foreign companies and organizations, can bring samples and specimens into the country while adhering to the following conditions:

a) without payment of customs duties if they do not have commercial value or if they are turned over to the enterprises authorized to carry out foreign trade operations and they correspond to the scope of their activities;

b) with the payment of customs duties, if they are not turned over to enterprises authorized to carry out foreign trade operations;

c) with guarantees for the customs duties, if they are temporarily brought into the country.

Article 159. - The legal entities listed in Article 158 can remove samples and specimens from the country if these were obtained from the units authorized to carry out foreign trade operations, on the basis of customs declarations for the samples as issued by these units.

Article 160. - In the case of operations to temporarily introduce or remove samples, the provisions are applied regarding the temporary introduction and removal of goods.

Article 161. - The customs procedures regarding samples are also applied to reference models.

The provisions of Articles 157, 158 and 159 are also applied to samples transported by foreign natural persons that come into the country for commercial transactions.

Article 161. - The materials for specimens, experiments or research, as well as plants and animals for experiments, can be brought into or removed from the country by Romanian legal entities without the payment of customs duties if they are in normal amounts and fall within the scope of their activities. For these operations, the customs organs can request the presentation of a notice from the hierarchically superior organ of the party involved.

Similarly, it is permitted to bring into the country or remove from the country, without the payment of customs duties, those goods that are part of an equivalent exchange approved according to the law between research institutes, art institutes, sports associations and other units. The hierarchically superior organs of the units that are carrying out these exchanges give confirmation of these conditions to the customs organs.

Article 162. - Publicity materials and advertising objects can be brought into or removed from the country without the payment of customs duties by:

a) the units authorized to carry out foreign trade operations;

b) Romanian units specializing in publicity and advertising for foreign trade and tourism;

c) the economic representatives, agencies and sections of other countries;

d) the press agencies;

e) the representatives and offices of foreign commercial companies and economic organizations authorized to operate in the Socialist Republic of Romania.

Publicity materials and advertising objects can be brought into or removed from the country without the payment of customs duties by foreign economic companies and organizations other than those authorized to operate in the Socialist Republic of Romania with the condition that they are used at fairs, expositions or other similar events, as well as in negotiations.

Exemption from customs duties is granted if the publicity materials refer to the activities of the units that bring the materials into the country or if the advertising objects have printed on them the name of these units or the companies that they represent.

The units authorized to carry out foreign trade operations are required to draw up norms regarding the manner of use of publicity and advertising materials, with notification to the central organ to which they are subordinate.

Article 163. - Foods or items of small value slated to be consumed or distributed at fairs, expositions or other similar international events can be brought into the country without the payment of customs duties on the condition that the in-customs value of these goods does not exceed 200 lei per day for the period of the event for each participating company or organization.

To the same end, they can bring into the country without paying customs duties 200 cigarettes, one liter of alcoholic beverages, five liters of wine or ten liters of beer per day for the period of the event for each participating company or organization.

Article 165. - Romanian units that participate in economic, cultural, scientific, sport or other events organized abroad can remove from the country those goods listed in Article 164 in the types and amounts established according to the regulations in effect.

Article 166. - Documentary materials in the form of documents, photographs, slides, sound recordings or films, as well as printed matter and other similar materials, can be brought into or removed from the country without the payment of customs duties if these operations are not prohibited by legal norms.

For Romanian units, these operations are carried out on the basis of a note signed by the chief of the unit. In taking them out of the country, it must also note that the materials do not contain secret data.

Foreign legal entities can remove from the country materials of Romanian origins in the list contained in paragraph one only if they present proof showing that these materials were officially made available to them.

Article 167. - Documentary materials and specimens for experiments and research belonging to natural persons can be brought into or removed from the country without the payment of customs duties if these operations are not prohibited by legal norms.

In removing these materials from the country, it is necessary to present a favorable note from the specialized central organ, with the exception of documentary materials found in public circulation.

Section 3
Providing Supplies to Transport Vehicles Used in International Traffic

Article 168. - Ships under foreign flags that dock in Romanian ports can be supplied with fuels, lubricants and food stuffs, as well as with other materials, by the Romanian enterprises authorized to do this, while adhering to the norms regarding the export of goods.

Article 169. - In ports where specialized enterprises for supplying ships do not operate, food stuffs and other goods needed by ships under foreign flags can be procured from the commercial organizations designated by the local people's council. Payment for these goods can be made in lei obtained from the exchange of hard currency or stemming from the shipping agency or in lei obtained from the Romanian ship transit enterprise through payments in hard currency. In these cases, the quantities of goods must be in relation to the number of persons found on-board and the length of the trip to the next port of call.

The bringing of these goods on-board is done without the payment of customs duties.

Article 170. - Goods that are to be used for supplies and that are brought on-board the ship are subject to a customs check on the basis of the customs permit and the delivery document.

In the case of the goods listed in Article 168, a single customs declaration for export is submitted for all the goods brought on-board for the period of the ship's stay in port.

The provision of supplies can be done using Romanian products or products from abroad that have been imported for this purpose in accordance with legal provisions.

Article 171. - Romanian shipping enterprises can provide supplies of fuels, lubricants, materials or food stuffs to foreign ships if, within the framework of certain understandings with similar foreign enterprises, it was established to have deliveries through compensation. The Romanian enterprises are required to maintain records of these operations.

The provision of supplies to Romanian ships that travel over foreign routes is done by the Ministry of Transportation and Telecommunications or by other authorized units, while adhering to legal provisions, on the basis of the customs permit and the delivery document, without the submission of an export customs declaration.

Goods to supply or equip Romanian ships on voyages or in shipyards can be shipped abroad by the authorized units on the basis of the delivery document, with the submission of an export customs declaration.

Article 172. - The agencies of transport enterprises authorized to operate in the Socialist Republic of Romania can temporarily bring in the country and store goods for the supply and repair of their own transport vehicles used in international traffic by completing the appropriate formalities.

The agencies are required to record these goods in documents that will be made available to the customs organs upon their request.

Article 173. - Vehicles belonging to foreign natural persons can transport into or remove from the country, without the payment of customs duties, only that amount of fuel for the capacity of the normal tank for these vehicles. The bringing in or removal from or the transit of the country of fuels in excess of this amount is not permitted.

Fuels found in the tanks within the normal capacities for the vehicles belonging to Romanian natural persons can be brought into or removed from the country without the payment of customs duties. The bringing in or removal from the country of fuels in excess of this amount is not permitted.

The provisions in paragraphs one and two are applied at the entry into the country of Romanian and foreign natural persons who are traveling within the framework of a low level of border traffic or who are crossing the border on the occasion of certain holidays on the basis of understandings between the Socialist Republic of

Romania and the neighboring countries, as well as foreign tourists who enter into the country more than once in a month or who remain in the country for 24 hours at the most. Upon leaving the country, a quantity of fuel is permitted, limited to 20 liters for automobiles, without the payment of customs duties.

Article 174. - The provisions regarding the provision of supplies to Romanian and foreign ships is also applied, in an appropriate manner, to Romanian and foreign aircraft.

In these cases, a loading permit is not issued and an export customs declaration is not submitted. The customs check is carried out based on the delivery document.

Article 175. - Consumer goods that are used to supply restaurant cars and sleeping cars used in international traffic are exempt from the payment of customs duties. These goods are declared to the customs organs at the border crossing point, without the completion of other customs formalities.

Chapter VI

Bringing Goods Into and Removing Them From the Country by the Diplomatic Missions and Consular Offices Accredited in the Socialist Republic of Romania, as well as by the Members of These Offices

Article 176. - Goods slated for the official use of diplomatic missions and consular offices, as well as for the personal use of the members having diplomatic status at these places and their families, are exempt from customs control both upon entering and leaving the country, under the conditions established by international agreements to which the Socialist Republic of Romania is a party and on the basis of reciprocity.

Article 177. - The following can be brought into or removed from the country without the payment of customs duties, under the conditions established in the international agreements to which the Socialist Republic of Romania is a party and on the basis of reciprocity:

a) goods slated for the official use of the diplomatic missions and consular offices;

b) goods slated for the personal use of the members having diplomatic status at the diplomatic missions and consular offices, as well as the members of their families;

c) goods slated for the personal use of the members of the administrative, technical and service staff of the diplomatic missions and consular offices, as well as the members of their families, at the time of their appointment.

Article 178. - The bringing into and the removal from the country of unaccompanied goods is permitted on the basis of a request from the diplomatic mission or the consular offices, signed by the chief there, and a specifications list presented to the Ministry of Foreign Affairs. In the case of baggage accompanied by the owner, the bringing in or the removal is permitted without the presentation of the request and the specifications list.

The request to bring goods in or to remove them, completed in three copies and forwarded to the Romanian customs organs through the Ministry of Foreign Affairs, will note the amount of the goods brought in and their description, in accordance with the formats made available to the diplomatic missions, with the requester specifying if these goods are for personal use or the mission's use.

If the requester does not know the contents of the packages received, the customs organs can proceed with the opening of these packages in the presence of the requester or a representative of the requester for the purpose of completing the formalities outlined in paragraph two.

Article 179. - Goods that are prohibited only from being taken out of the Socialist Republic of Romania, as well as those goods of an artistic, historical and scientific nature, musical instruments and objects made of precious metals or stones that exceed the level of personal use and other goods of special value, can be removed from the country without other formalities if they were declared in writing to the customs organs upon their entry into the country.

Article 180. - At the request of the diplomatic mission or the consular office, the customs organs, depending upon available personnel, can carry out the customs procedures at the location of the diplomatic mission or the consular office or at the residence of those persons having diplomatic status.

Article 181. - For the following categories of consumer goods, the exemption from the payment of customs duties outlined in Article 177 is applied within limits per calendar year, in the following manner:

a) for the official use of the diplomatic mission and the consular office:

- cigarettes: 2,000 packs (20 per pack);

- alcoholic beverages (over 22 percent alcohol): 300 liters;

b) for the use of personnel with diplomatic status and the members of their families:

- cigarettes: 500 packs (20 per pack) per family;

- alcoholic beverages (over 22 percent alcohol): 50 liters per family.

Upon notification of the bringing of the consumer goods listed in this article into the country, the Ministry of Foreign Affairs keeps track of the conditions of reciprocity, as well as the agreements to which the Socialist Republic of Romania is party, in order to apply reductions or increases corresponding to the established limits.

Article 182. - Goods listed in Article 181 that are transported as accompanied baggage or unaccompanied parcels are declared in writing upon their introduction into the country with the documents listed in Article 178. In the absence of these documents, goods are not permitted to be brought into the country that could be left in the care of the customs organs, in accordance with this regulation.

After clearing through customs, a copy of the request submitted for these goods that has been approved by the customs organs is forwarded by them to the Ministry of Foreign Affairs, which keeps track of the goods that were brought in.

Goods listed in Article 181 that exceed the established amounts can be brought into the country with the payment of the customs duties applicable to goods belonging to natural persons.

Article 183. - The temporary introduction into the country of vehicles, with an exemption on the payment of customs duties, for the official use of the diplomatic mission and consular offices, as well as for the use of their members and their families, is permitted within the limits provided by the Ministry of Foreign Affairs, on the basis of reciprocity or under the conditions established in international understandings.

The formalities for temporarily bringing them in are those listed in Article 178. Records of these operations are maintained by the Ministry of Foreign Affairs.

Article 184. - When there are firm reasons to believe that within the parcels destined for the diplomatic mission and the consular offices, as well as in the transport vehicles or in the baggage of their members having diplomatic status or of their family members, there are goods that are not exempted from the payment of customs duties or that were not declared in accordance with Article 182, or are prohibited from being brought in or removed from the country or are subject to quarantine, the chief of the customs unit can conduct a customs check in the presence of the owner of the goods or an authorized representative of the owner.

Article 185. - Goods brought into the country that are exempted from customs duties that are transferred via commercial organizations, are subject to, according to the provisions of the Customs Code, the customs duties applicable to goods belonging to natural persons.

Article 186. - Diplomatic pouches used for the purpose of communications between diplomatic missions and the ministry of foreign affairs of the accredited country are exempted from customs duties and are not subject to customs control upon their entry or departure from the country.

Under the conditions of paragraph one, diplomatic pouches used for the purpose of communications between the diplomatic missions of the same country are also permitted.

Article 187. - Diplomatic pouches can be transported on the territory of the Socialist Republic of Romania:

a) when accompanied by diplomatic couriers given this mission by the ministry of foreign affairs of the country to which they belong or by a diplomatic mission of the accredited country;

b) when unaccompanied.

Article 188. - Diplomatic pouches must be equipped with the seals of the ministry of foreign affairs or of the sending diplomatic mission, bear the words "diplomatic correspondence" or "official dispatch," travel on the basis of a "courier voucher" and not contain other than diplomatic documents or objects of official use.

If the diplomatic pouch is accompanied by a diplomatic courier, this person must possess a "courier voucher" in which is indicated the last name, first name and position of the accompanying person, as well as the number and destination of the parcels.

Unaccompanied diplomatic pouches, in addition to bearing the words "diplomatic correspondence" or "official dispatch" and the sender's seals as outlined in paragraph one, will have to bear a label also noting the number of the "courier voucher."

If these conditions are not met, the diplomatic pouches are sealed by the customs organs and transited to a customs unit in Bucharest in order to establish the means of releasing or returning them to the sender.

The release of unaccompanied diplomatic pouches is done on the basis of a written certificate issued by the receiving diplomatic mission.

Article 189. - Diplomatic pouches can be transported by the commander of an aircraft if he has an official document which shows the number of parcels that constitutes the pouch.

The diplomatic mission can send one of its members to directly take possession of the diplomatic pouches from the hands of the aircraft commander.

Aircraft commanders that transport diplomatic pouches are not considered diplomatic couriers.

Article 190. - Diplomatic pouches in transit through the Socialist Republic of Romania can be sealed by the customs organs upon their entry.

Article 191. - The provisions regarding diplomatic pouches are also appropriately applied to consular pouches.

Chapter VII

The Bringing of Goods Into or the Removal of Them From the Country by Natural Persons

Section 1
The Declaration of Goods Brought Into or Removed From the Country by Natural Persons

Article 192. - Natural persons are required to declare, verbally or in writing, the goods that they bring into or remove from the country and to present them to the customs organs.

Article 193. - The following goods are subject to written declarations in all cases:

a) weapons, munitions and explosive or radioactive materials;

b) intoxicating and psychotropic products and substances, as well as toxic substances and products;

c) radio transmitter-receiver devices;

d) perfumes;

e) objects of precious metals, with or without precious stones, that exceed the level of personal use established in Annex No 2;

f) postage stamps;

g) goods of a cultural or artistic nature, only upon their removal from the country.

Article 194. - Goods of a cultural or artistic nature or of a special value can be declared in writing upon the introduction of them into the country by natural persons for the purpose of removing them from the country without approval.

Upon the request of a natural person, the customs organs make available free-of-charge the forms for the written declaration.

Article 195. - Postal packages that arrive for natural persons are declared and presented to the customs organs by the postal organs, accompanied by the transport documents and the documents attached to them.

Section 2
The Customs Control of Goods Belonging to Natural Persons

Article 196. - The customs control of goods belonging to natural persons consists of comparing the goods declared with the goods found in the accompanied or unaccompanied baggage and in packages.

Article 197. - Natural persons are required to present the goods for the customs check.

The customs organs directly carry out the customs check when the natural persons refuse to present the goods.

In special cases, a customs check of the person's body can be conducted.

Article 198. - Customs organs issue the customs clearance in writing for goods subject to customs duties and verbally for those exempted from duties, if the legal conditions are met for the introduction of goods or the removal of them from the country.

Section 3
The Temporary Introduction or Removal From the Country of Goods Belonging to Natural Persons and the Transit of These Goods Through the Country

Article 199. - The temporary introduction and removal from the country of goods by natural persons is permitted with guarantees for the payment of customs duties.

The guarantees and the keeping of records are not necessary in the cases of goods exempted from customs duties upon entry and removal.

The timeframes for the temporary introduction and removal of goods are established by the customs organs.

Article 200. - Operations to temporarily introduce or remove goods are concluded within the established timeframes by one of the following methods:

a) the reintroduction or, as the case may be, the return of the goods;

b) the payment of the customs duties that are owed;

c) the abandonment of the goods temporarily brought into the country to the customs organs;

d) the turning over of the goods to the state units authorized for the collection of wastes, with presentation of proof of having turned over the goods given to the customs organs.

Article 201. - Customs duties become payable if the owner does not conclude the temporary introduction or removal of the goods within the timeframe. In these cases, the guaranteed sums are forwarded to the state budget.

Article 202. - In order to clear the goods temporarily brought in or removed by natural persons, the General Directorate of Customs can establish the specific customs formalities.

Article 203. - The following are excepted from the obligation to guarantee the payment of customs duties and carry out customs formalities: vehicles and self-propelled vehicles and their tractors, as well as boats, if they are temporarily introduced or removed by natural persons for the period of their stay in country or, as the case may be, while abroad.

At the end of their stay in-country or abroad, the owners are required to return or, as the case may be, reintroduce the goods or pay the customs duties that are owed, with the operation being considered completed.

For vehicles that are the object of the provisions contained in Articles 227-235, the provisions of this article do not apply.

Article 204. - Goods listed in Article 203 that are temporarily brought into the country by natural persons with residences abroad can be entrusted to certain Romanian legal entities to be held on the basis of a report for up to 1 year if the goods cannot be removed from the country along with owner's departure.

In the report, the obligation of the owner is recorded for resolving the status of the goods within 1 year from the date the goods are entrusted to be held.

If upon the expiration of the timeframe outlined in paragraph two the situation is not resolved, the goods become the property of the state and the legal entity that is holding them declares them within 15 days to the local financial organs, which take the goods to put them to use.

Goods that are entrusted to be held cannot be used in any manner.

Article 205. - Works of art created currently by professional or amateur artists can be taken out of the country under the conditions and with the approvals outlined by law for the organization of certain expositions that do or do not involve sales, without guarantees for the payment of customs duties.

For those goods that are permitted to be removed from the country and which are not returned within the established timeframes, the owners are required to pay the customs duties owed.

Article 206. - Natural persons with residences abroad can transit the territory of the Socialist Republic of Romania with their personal effects, supplies and medicines found in their accompanying baggage or on their persons, as well as with other goods in normal amounts, without completing the customs transit declaration and without guarantees for the payment of customs duties.

For those goods susceptible to being transferred to other during the period of their transit, the General Directorate of Customs can establish measures that will ensure their removal from the country, including guarantees up to the level of the value of the goods being transited.

Section 4
Limits for Goods Brought Into or Removed From the Country by Natural Persons

Article 207. - Natural persons can bring into or remove from the country, with exemption from or the payment of customs duties, those goods destined for personal, family or household use within the limits and conditions listed in Annexes Nos 2 and 3.

The minister of foreign trade and international economic cooperation can establish temporary restrictions for certain goods upon their introduction or removal from the country, with or without the payment of customs duties.

It is prohibited to bring into the country those automobiles with a rate of gasoline consumption greater than 11 liters per 100 kilometers, with the exception of those that are temporarily brought in in accordance with the provisions of this regulation.

Article 208. - The carrying out of commerce by natural persons using goods brought into the country is punished under the conditions outlined by criminal law.

Section 5
The Application of Customs Tariffs for Goods Belonging to Natural Persons

Article 209. - Customs duties for goods that are brought into or taken out of the Socialist Republic of Romania by natural persons are those established by the customs tariff schedule listed in Annex No 4.

In the case of exceeding the value or quantity limits listed for the introduction or removal of goods by natural persons increased duties are applied as established in this regulation.

Article 210. - The customs tariff schedule for goods belonging to natural persons is the one in effect on the date of registration of these goods at the customs unit or, for those that are not subject to registration, on the date of their presentation at the customs unit.

Article 211. - The customs organs establish the amount of the customs duties, which they collect and forward to the state budget.

Article 212. - Customs duties for goods brought into or removed from the country by natural persons are paid in lei or in hard currency quoted by the National Bank of the Socialist Republic of Romania.

For automobiles and other vehicles brought into the country by natural persons, the customs duties are paid only in hard currency quoted by the National Bank of the Socialist Republic of Romania.

Article 213. - For automobiles that are specially adapted for use by ill or handicapped persons, the customs duties can also be paid in lei.

The customs duties listed in the customs tariff schedule for these automobiles are applied on the condition of the presentation of a medical certificate which shows the need to use a specially adapted automobile, as well as a technical statement that shows that the automobile is adapted for use by ill or handicapped persons.

These automobiles can be transferred only to those persons who fall within the provisions of paragraph one.

Article 214. - The methods of paying the customs duties in hard currency are as follows:

a) the submission of the hard currency sums by Romanian citizens or foreign citizens abroad for the purpose of transferring the sums to the Romanian Bank of Foreign Trade in the account specially opened for the payment of customs duties. The customs duties equivalent in lei is directed into the accounts of the customs units, as established by the Romanian Bank of Foreign Trade and the General Directorate of Customs;

b) the submission of the sums in lei by foreign citizens to the customs units, as obtained from the legal hard currency exchange of the hard currency, with the amount representing the customs duties;

c) the submission of the customs duties in hard currency to the Romanian Bank of Foreign Trade by Romanian or foreign citizens, into the account specially opened for the payment of customs duties. The Romanian Bank of Foreign Trade transfers the customs duties equivalent in lei into the account of the customs unit, as indicated by the person paying.

Article 215. - The Romanian Bank of Foreign Trade, together with the Ministry of Foreign Trade and International Economic Cooperation, can also establish methods of paying the customs duties in hard currency other than those listed in Article 214 for Romanian workers sent abroad in the interest of their jobs.

Article 216. - The release of the goods subject to customs duties is done after the payment of these duties.

Natural persons with residences in the Socialist Republic of Romania who do not have on their persons the sums necessary to pay the customs duties for the goods that are brought into the country in their accompanying baggage can immediately obtain the goods on the basis of a declaration-pledge to pay at a later date the customs duties.

Article 217. - For those goods released on the basis of a declaration-pledge, the customs duties are deposited by the natural persons at the savings and loans units into the account specially opened for customs duties within 30 days from the date of the declaration-pledge.

Within this timeframe, the owner is required to send the payment receipt to the customs unit through which he entered the country.

If the customs duties are not paid in accordance with paragraph two, they are forwarded for follow-up and payment to the financial organs within 30 days from the expiration of the timeframe for making the payment on the basis of the declaration-pledge, which constitute the executory title.

Article 218. - If the persons who signed the declaration-pledge did not indicate their correct address, the organs that issued the border crossing document communicates the address of these persons, at the request of the customs organs.

The presentation of certain erroneous date by the natural persons in the declaration-pledge is punished in accordance with the law.

Article 219. - Customs duties for postal packages that are paid at customs upon entering the country can be paid to the postal organs, which transfer them into the account of the customs unit.

For each package, the postal organs retain a commission of seven lei from the customs duties paid. For those packages that contain goods that are exempt or excepted from customs duties or for which the amount of customs duties owed is below the legal commission rate, they are paid by the recipient of the package.

Article 220. - The in-customs value for the goods brought into or removed from the country by natural persons is determined in accordance with the provisions of Annex No 5.

Article 221. - In cases where a later check shows that the customs duties were not correctly determined, the underpayments can be established within 2 years from the date of the payment of the customs duties. If after a summons sent by the customs organs, the debtor does not pay within 30 days the difference owed, the amount is forwarded for follow-up and payment to the local financial organs.

Overpayments, uncovered as a result of certain later checks or claims that were made, are returned to the rightful party within 30 days.

Repayment of customs duties is done by the customs organs from the current receipts of customs duties.

Underpayments up to 25 lei are not pursued and overpayments of up to 25 lei are not returned.

Article 222. - Claims regarding the application of the customs tariff schedule are submitted within 1 year from the date of payment and are resolved by the chief of the customs unit where the customs procedures were carried out. Objections to the solution given to the interested party can be made within 15 days from the date of receiving the report to the General Directorate of Customs. Its decision is final and executory.

Article 223. - The transportation costs in hard currency for the foreign travel of the goods received or brought in from abroad are fully supported in the same hard currency by the owner of the goods. In contrary cases, the goods will be returned abroad at the direction of the recipient or the sender. If within 1 year the status of the goods is not resolved, they become the property of the state.

The Ministry of Finance can approve payment in lei of the equivalent value of the hard currency transportation costs in special cases or when they represent small amounts.

Article 224. - Customs duties are not applied for bringing in the following categories of goods:

a) pharmaceutical products;

b) prostheses, instruments, devices and powered or powerless carriages and tricycles, including spare parts for these items, for use by ill or handicapped persons, with notification to the health organs;

c) collectibles and objects of antiquity, as well as precious and semi-precious stones, precious metals and objects made from them, while adhering to the legal obligations regarding the possession and movement of these items;

d) goods removed from the country and which are returned having not been admitted at their destination.

Customs duties are not applied to mobile goods, including transport vehicles, secured by open inheritances in-country or abroad and provable on the basis of certain official documents.

Article 225. - The minister of foreign trade and international economic cooperation can grant, with notification of the Ministry of Health, reductions or exemptions in customs duties for automobiles specially adapted for use by ill or handicapped persons.

Article 226. - The Ministry of Finance can approve, on a case-by-case basis, the gradual payment of customs duties.

Chapter VIII

The Temporary Movement of Automobiles Across the Border. The Guarantee of Customs Tariffs. Customs-Free Goods

Section 1
The Temporary Bringing in and Removal of Automobiles and Their Trailers From the Country

Article 227. - Natural persons and legal entities can temporarily bring in or remove automobiles and their trailers from the country under the conditions established for the temporary movement of goods across the border.

Article 228. - For automobiles and their trailers registered in the Socialist Republic of Romania, the provisions referring to the guarantees for the payment of customs duties are not applied in their temporary removal from the country and they do not met the customs formalities.

Article 229. - The provisions referring to the guarantees for the payment of customs duties are not applied and the customs formalities are not completed for automobiles and their trailers that are registered abroad for their temporary introduction into the country for:

a) persons with residences abroad who arrive in the country as tourists in organized groups or by themselves;

b) foreign specialists, technicians and students, as well as other persons with residences abroad, who arrive in the country on the basis of agreements, contracts or other understandings with the Romanian counterpart;

c) persons with residences in the Socialist Republic of Romania who are sent abroad in the interest on their jobs and who return for a vacation or to conduct a temporary mission in-country;

d) foreign personnel of representatives or offices of foreign commercial companies and economic organizations that are operating in the Socialist Republic of Romania, in accordance with legal norms.

Article 230. - For vehicles and their trailers registered abroad belonging to the representatives and offices of foreign commercial companies and economic organizations operating in the Socialist Republic of Romania according to legal norms, guarantees are given for 100 percent of the customs duties by depositing the amounts owed in hard currency.

On the basis of reciprocity, vehicles and trailers belonging to representatives and offices listed in paragraph one can be temporarily brought into the country without guarantees for the payment of the customs duties. Fulfillment of the conditions of reciprocity are confirmed in writing to the customs organs by the interested Romanian central organ.

The provisions in paragraph one also are applied to other foreign legal entities or natural persons who do not fit into the provisions of Article 229.

Article 231. - The parties involved in the operations to temporarily bring automobiles, other vehicles and their trailers into the country are required to register them within the timeframes outlined by law.

To this end, the parties carrying out these operations give proof to the appropriate authorities that they have met the conditions listed in Article 229. In cases where these conditions have not been met, the registration can be accomplished only with the presentation of the document showing the deposit of the customs duties.

Article 232. - Automobiles and their trailers registered abroad and temporarily brought into the country by natural persons can be entrusted to certain Romanian legal entities for holding for up to 1 year under the conditions listed in Article 204, without guarantees for the customs duties.

Article 233. - The failure to adhere to the requirements listed in Article 231 is determined by the customs organs or the organs of the Ministry of the Interior. In these cases, a penalty of 10 percent of the customs duties owed is applied. If the penalty is not paid and the customs duties are not immediately deposited, the automobile and the trailer are confiscated.

Article 234. - It is prohibited to sell, donate or transfer with any title or rent automobiles, other vehicles and their trailers that are temporarily brought into the country while they are in the Socialist Republic of Romania, with the exception of those cases authorized by the Ministry of Foreign Trade and International Economic Cooperation.

Violations of this provision are determined by the customs organs or the organs of the Ministry of the Interior. Upon this determination, the automobiles and their trailers are confiscated.

Article 235. - Parts and separate pieces for the repair of automobiles and their trailers that are temporarily brought into the country are released, without payment of customs duties, with the requirement of removing from the country the used parts and pieces. Until the used parts and pieces are removed from the country, the release from customs is accomplished by way of guarantees for the customs duties. The

completion of this operation can also be accomplished by the payment of the customs duties or the presentation of a document that shows that they were destroyed or turned over to metals collection units.

The provisions in paragraph one are also appropriately applied for parts and separate pieces that are removed from the country for the repair of automobiles and trailers temporarily taken out of the country.

Section 2
The Guarantee of the Payment of Customs Tariffs

Article 236. - The guarantee of the payment of customs tariffs is accomplished by one of the following methods:

a) the deposit of customs duties, which consists of temporarily depositing a sum with the customs organs equal to the amount of the customs duties due on the goods;

b) the submission of a letter of customs guarantee, by which a legal entity located in the Socialist Republic of Romania pledges to pay to the customs organs that sum representing the customs duties at the time that they become payable.

Article 237. - Customs duties guaranteed through letters of customs guarantee are collected by the customs organs within 10 days from the day that they become payable and are held in the customs units' accounts for a period of 30 days from the date of payment.

If within 30 days from the payment the owner does not fulfill this obligations, the customs organs forward the amount paid to the state budget. In the case of socialist units, the payment of the guaranteed amounts is made directly through banking units, without other forms.

Article 238. - Romanian railroad units, Romanian highway transport enterprises that are involved in international highway transportation and the Romanian postal organs, as well as Romanian air and sea transport enterprises, are not required to guarantee the payment of customs duties for transport vehicles and goods transported on the territory of the Socialist Republic of Romania.

In cases where, as a result of a failure to adhere to the timeframes for completing transit operations, the customs duties become payable, the customs organs directly collect the sums owed from the accounts of these units, without other formalities, and proceed according to Article 237.

The provisions of this article are also applied for transits, the temporary receipt of goods, storage and customs custody when the owners are units authorized to carry out foreign trade operations.

Article 239. - Transport vehicles belonging to foreign transport enterprises, as well as the goods listed in Article 104, are not subject to guarantees for the payment of customs duties while carrying out international transport activities on the territory of the Socialist Republic of Romania.

Article 240. - Customs duties guaranteed with sums stemming from the exchange of hard currency are returned to the owners at the conclusion of operations are are changed back into hard currency by the hard currency offices.

Section 3
Goods That do not Meet the Conditions for Being Brought Into or Removed From the Country

Article 241. - Goods belonging to natural persons or legal entities, other than those units authorized to carry out foreign trade operations, that do not meet the conditions for being brought in or removed from the country in accordance with the Customs Code and the Customs Regulation are maintained under customs supervision, but available to the owners, for a period of 48 hours in the case of perishable goods and livestock or 90 days for other categories of goods.

The list of goods considered perishable is approved by the Ministry of Foreign Trade and International Economic Cooperation.

Goods whose retention or movement is regulated by special laws are turned over to the competent authorities to get their approval for retention or movement.

Article 242. - Upon the expiration of the timeframe for holding goods listed in Article 241 and if the owners have not resolved the customs status of the goods, they become the property of the state.

In cases where the owners abandon the goods by way of a written declaration give to the customs organs, these goods become the property of the state at the moment the declaration is submitted.

Article 243. - Goods brought into the country, for which there is an international transport contract and the transporter cannot turn them over to the receiver for justified reasons or the receiver has not met the customs conditions, can be held by the transporter or other unit authorized by the customs organs under customs supervision for up to 1 year.

Upon the expiration of this period, the goods become the property of the state and are put to use by the units holding them, which then give to the customs organs the documents showing how they were used.

Article 244. - Goods of any type found by the customs organs in areas where they conduct customs checks become the property of the state if they are not claimed within the timeframes listed in Article 241.

Goods hidden in postal packages that arrive for natural persons and that are not listed in the accompanying documents are confiscated.

Article 245. - Goods that become the property of the state in accordance with this regulation are declared monthly to local financial organs, which proceed in putting them to use. If the goods are among those whose retention or movement is regulated by special laws, they are given directly to the competent organs to get approval for their retention or movement.

Chapter IX

Sanctions

Section 1
Customs Violations

Article 246. - The following are violations and are punished with a fine of from 200 to 500 lei:

a) the presentation by the party making the customs declaration of certain documents containing false data, if this act does not constitute a violation listed in Article 248 letter c);

b) the failure to declare imported goods within the legal timeframes or the failure to submit documents containing all the date needed for the transport vehicles used in international traffic and the goods transported by them;

c) the unloading, loading or transloading of goods on ships without a customs permit;

d) the failure of the owners of goods to adhere to the temporary movement of goods across the border within the timeframes established for the completion of these operations;

e) the failure of parties in charge of warehouses to present records at the request of the customs organs regarding the goods stored there or the failure of the transporter to present data regarding goods in transit;

f) the failure of the postal organs to meet their obligations to declare and present to the customs organs postal packages for the purpose of clearing customs;

g) the failure of the shipping or receiving units to adhere to the requirements calling for the carrying out of a customs check at the point for loading or unloading goods and to ensure the accomplishment of these operations at the place and within the timeframes established.

Article 247. - The following constitute violations and are punished with a fine of from 500 to 1,500 lei:

a) the failure of the transporter or the administrator to maintain goods that have not been cleared through customs during the period of their transport or storage, if the act resulted in shortages of or substitutions to these goods;

b) the breaking or removal of markings, customs seals or other items similar to these;

c) the failure to present goods transported in transit to the destination customs unit within the timeframes or the exceeding of the timeframe for storage;

d) the failure of persons who enter or leave the country to meet the requirement of presenting the goods on their person or in their baggage;

e) the transfer, in any form, of goods belonging to persons involved in transit;

f) the failure of the units that provide assistance in the loading or unloading of transport vehicles to pursue adherence to the obligations incumbent upon those empowered to provide the assistance.

Article 248. - The following constitute violations and are punished with fines of from 1,500 to 5,000 lei:

a) the docking of ships in places other than at control points where customs organs operate, with the exception of cases of force majeure or serious illness on-board;

b) the departure from ports or airports by ships and aircraft that traveling foreign routes with customs organs approval;

c) the submission of a customs declaration containing false data regarding the type, quantity and destination of the goods, if the act led to the levying of lower customs duties, to the exemption from the payment of customs duties or to the avoidance of certain restrictions, authorizations or approvals;

c) the failure to meet the obligation to declare to the customs organs the modification of the destination of the goods compared to the purpose declared upon entry into the country;

e) the transfer of the goods in order to supply transport vehicles used in international traffic or the failure to meet the obligation of recording them in documentary records;

f) the transporter's release of goods that have not been cleared through customs directly to the user;

g) the attempt to withdraw or the withdrawal from the customs procedure of any goods or the failure to immediately present to the nearest customs organ those goods of foreign origin that have not been cleared through customs upon their entry into the country, if the act was committed in places under customs supervision by a person who was not crossing the border of the Socialist Republic of Romania and if the in-customs value of the goods does not exceed 25,000 lei. In these cases, the goods are confiscated;

h) the attempt to cross the border or the crossing of the border at places other than those established for customs control or through the use of false customs documents or certain customs documents, if the value of the goods do not exceed 3,000 lei. In these cases, the goods are confiscated.

Article 249. - The following constitute violations and are punished with a fine of from 2,000 to 8,000 lei:

a) the hiding of goods for the purpose of removing them from customs control by persons who enter or leave the country, if the value of the goods do not exceed 25,000 lei. In these cases the goods are confiscated;

b) the failure to note in the declaration on provisions the real types or amounts of goods found on the transport vehicles. The additional goods uncovered are confiscated.

Article 250. - The following constitute violations and are punished with a fine of from 5,000 to 25,000 lei:

a) the acts listed in Article 248 letter g) and Article 249 letter a) is the in-customs value of the goods exceeds 25,000 lei;

b) the hiding of goods in specially constructed places for this purpose in transport vehicles for the purpose of removing these goods from customs control by those persons who enter or leave the country.

In these cases, the goods are confiscated.

Article 251. - The application of sanctions for customs violations are prescribed within 2 years of the date of their commission.

Article 252. - The acts listed in this section constitute violations if they are not committed in such a manner so as, according to criminal law, to be considered crimes.

The measure of confiscating the goods involved in these violations is applied even if these goods are not the property of the violator.

Section 2
Determining Violations and Applying Sanctions

Article 253. - Customs violations are determined through violations reports completed by the customs organs in accordance with their job requirements within the customs area, as well as in any other place where operations are carried out under customs supervision.

Article 254. - Customs violations can be determined outside the areas under customs supervision by militia and border guard officers and sub-officers. Reports of violations, together with the goods involved in the violations, are forwarded immediately to the nearest customs unit from the place of the act for the purpose of applying the sanctions outlined by law.

Attempts to move goods across the border or the movement of goods across the border at places other than those established for customs control, outlined in Article 248 letter h), is also sanctioned by the militia or border guard officers and sub-officers. In these cases, the general norms are applied regarding the violations listed in Law No 32/1968.

Article 255. - The customs organs have the right to retain, for the purpose of confiscation, those goods involved in the violations listed in Article 248 letters g) and h) and Article 249 and Article 250.

For those goods that are retained, the customs organs issue to the violator a document in which these goods are specified.

Article 256. - After applying the sanction, the violation report, together with notification of the fine, is communicated to the violator within 30 days from the application of the sanction or it is posted at the customs unit in cases where it is impossible to make notification.

Article 257. - Sanctions can also be applied to legal entities for violations listed in Article 246, Article 247 letters a), b), c) and f), Article 248 letters a)-f) and Article 249 letter b).

In the case of the violations listed in Article 247 letters a) and b), for those goods transported via railroad the sanctions are applied to the Regional Railroad Directorate in whose region the violations were committed.

In the case of the violations listed in Article 247 letter c) and Article 248 letter f), for those goods transported in transit via railroad the sanctions are applied to the Regional Railroad Directorate within whose territorial limits the destination customs unit listed in the customs transit declaration is located.

Article 258. - For the violations listed in Article 246, Article 247 letters a), b), c) and f), Article 248 letters a)-f) and Article 249 letter b), the sanction is applied by the chief of the customs unit to which the finding customs organ belongs.

The chief of the customs unit also applies the sanction for violations committed by natural persons where the value of the goods is up to 10,000 lei.

Article 259. - For violations committed by natural persons where the value of the goods os over 10,000 lei, as well as for the violations listed in Article 250 and those found by the chiefs of the customs units, the sanction is applied by the director general of customs.

The customs organs forward the reports, in three copies, to the General Directorate of Customs within 5 days from the finding of the violation or from the receipt of the violations report completed by militia or border guard officers and sub-officers.

Article 260. - The chief of the customs unit or, as the case may be, the director general of customs, decides upon:

a) the application of sanctions and, as the case may be, the confiscation of the goods;

b) the return of the violation report so it can be reaccomplished, when it was completed without adhering to legal norms;

c) the cancellation of the violations report, if it is unfounded or illegal.

Article 261. - The violator can lodge a complaint against the report by which the sanction was imposed within 15 days from the notification from the customs unit where violation was found.

The customs unit forwards the complaint, together with a copy of the report and the conclusion,within 5 days to the General Directorate of Customs or, as the case may be, to the court in whose territory the violator's residence is located or the location of the legal entity to which the sanction was given. In the case of foreign citizens, the complaint is sent to the court in whose territory the headquarters of the General Directorate of Customs is located.

Article 262. - The director general of customs or a persons specially named by him resolves the complaint by reaching a conclusion, if the sanction was imposed by the chief of the customs unit and the violation is punished with a maximum fine of 1,000 lei.

For other violations, the complaints are resolved by the courts listed in Article 261, paragraph two.

Article 263. - The payment of fines is accomplished by:

a) payment to the customs unit that completed the violations report;

b) payment to the units of the Savings and Loan Banks, with the requirement of sending a payment receipt to the customs units within 30 days from the date the sanction imposed was considered final and executory;

c) compulsory follow up by the financial organs, and for foreign citizens who have been fined the pursuit and payment is accomplished through the financial organs of the Sector 1 People's Council in Bucharest.

Article 264. - When customs violations are committed by a person from a ship's crew or an aricraft's crew, the commander, the owner and the agent are responsible together for the payment of the fine.

Article 265. - Customs organs will not permit the departure of a ship or an aircraft in cases where fines that are owed have not been paid to the customs unit or guaranteed by a letter of customs guarantee.

The harbormaster or the airport commander is required to retain the ship or aircraft until the amounts owed as fines are obtained, at the written request of the customs organs.

Article 266. - The Ministry of Foreign Trade and International Economic Cooperation can completely or partially renounce, for firm reasons, the carrying out of sanctions established in final and executory violations reports.

Article 267. - To the degree in which this regulation does not state otherwise, for customs violations the general norms are applied regarding violations, with the

exception of the regulations regarding the reduction of fines in the event of their payment on-the-spot or over a certain period of time.

Article 268. - If the customs organs uncover events that are considered crimes, in accordance with the law, they proceed in accordance with the provisions of the Criminal Procedure Code and retain the evidence.

Upon request from the criminal investigations organs, the customs organs turn over the evidence, in accordance with the law, for the purpose of an investigation. After the conclusion of the investigation, in cases where it is found that no crime was committed, the goods are returned to the customs organs for the purpose of giving them back or putting them to use.

Chapter X

Final and Transitory Provisions

Article 269. - In the meaning of this regulation, it is understand that:

a) customs units means the customs house and the customs points, as well as their subunits, called customs posts;

b) customs organs means the workers and the leadership in the General Directorate of Customs and in the customs units;

c) the person making the customs declaration means the legal entities or the natural persons who declare and present the goods to customs, as well as their representatives. The units authorized to carry out foreign trade operations and other legal entities can be represented in declaring goods to the customs organs and in meeting the other requirements regarding clearing customs only by socialist units authorized for this purpose, according to the law;

d) introducing or removing goods means crossing the border under the conditions of the law with goods belonging to legal entities or natural persons, outside the realm of foreign trade activities.

Article 270. - In cases where the customs organs, while conducting the customs control according to the norms outlined in this regulation, note aspects that create suspicions about the failure to adhere to customs procedures, they proceed with a check of the entire transport vehicle and the goods.

Article 271. - In sending customs personnel outside the immediate customs area for the purpose of conducting operations outlined in this regulation, those who request this support the costs for transportation, housing and meals in accordance with legal norms, on the basis of a bill completed by the customs unit.

Article 272. - The failure of customs personnel to fulfill their obligations stemming from their jobs, as outlined in the Customs Code and this regulation, results in disciplinary, administrative or criminal actions, as the case may be.

Article 273. - The transit, storage and other temporary operations, as well as the introduction into or the removal from the country, of those goods or items whose retention or movement is regulated by special laws or by bilateral or multilateral agreements are subject to notification of the competent organs that can approve the retention or the movement of these goods or items. These organs can also establish specific conditions for carrying out operations.

Article 274. - The norms regarding the import and export of goods, as well as other customs operations, whose involved parties are authorized to carry out foreign trade operations are also appropriately applied to operations carried out by legal entities and natural persons outside the realm of foreign trade activities, if this regulation does not provide otherwise.

Article 275. - The norms regarding the customs [illegible] and the establishment of the origins of the goods are those listed in Annex [illegible].

Article 276. - The norms regarding the manner of carrying out the customs check on goods belonging to natural persons who cross the state border and the transport vehicles in which they are traveling are those listed in Annex No 7 (this Annex was forwarded to the interested institutions).

Article 277. - Goods that have deteriorated during transport are subjected to customs duties proportionally reduced with the degree of damage, while those that are destroyed are exempted from the payment of customs duties.

The provisions of paragraph one do not apply to automobiles brought into the country by legal entities or natural persons outside the realm of foreign trade operations.

Article 278. - The timeframes listed in this regulation are calculated days-off, according to the norms outlined in the Civil Procedure Code.

Article 279. - At the request of the customs organs, the port and airport authorities, as well as the organs of the railroad border stations, do not permit the departure or entry of transport vehicles if they do not meet the conditions listed in the Customs Code and this regulation.

Article 280. - The General Directorate of Customs establishes the manner and mode of using customs registries, forms, seals and stamps, according to the law. Customs forms and seals are used by the customs organs free of charge.

In the case where the party making the customs declaration is a legal entity, it can print, at its own cost, and use certain customs forms with the approval of the General Directorate of Customs.

Customs units organize and keep records of customs operations.

Article 281. - For the clearing of customs of certain categories of goods that are brought into or taken out of the country without involving payments of any kind, as well as for newspapers, documentation, publications, sound recordings or films slated for distribution, the General Directorate of Customs can establish specific formalities

or documents for clearing customs. When customs duties are owed, these documents constitute executory title for pursuing and paying the customs duties.

Article 282. - The customs forms listed in international agreements and understandings to which the Socialist Republic of Romania is party replace the customs forms established according to Article 280.

Article 283. - In places where customs operations are conducted, the units of the Ministry of Transportation and Telecommunications or, as the case may be, the Department of Civil Aviation, as well as the units that ship or receive foreign trade goods, are required to provide the customs units, without payment:

a) rooms to conduct the customs check of goods or persons;

b) offices to carry out customs formalities;

c) warehouses for the storage of goods that are retained, confiscated or that become state property in any other manner;

d) equipment to weigh goods.

This is also required of the county people's councils for those customs units that carry out their activities at highway control points for crossing the state border or at control points for low-level border traffic.

The Ministry of Transportation and Telecommunications provides free telephone connections through Romanian Railroad lines for conversations between the customs organs at the borders and those in the interior located at railroad stations.

Article 284. - In applying this regulation, one keeps in mind the procedures and other norms contained in international agreements and understandings to which the Socialist Republic of Romania is party, as well as the recommendations of a customs nature of international organizations accepted by the Socialist Republic of Romania.

Article 285. - Customs operations begun under the program outlined by customs regulations issued prior to this regulation are completed in accordance with the norms contained in those regulations.

The provisions in paragraph one do not apply to:

a) operations for the temporary movement of goods that are found in the records of customs units and whose timeframe for being concluded is extended by a period of 3 months from the date the Customs Regulation takes effect, a date after which they are suspended or can be renewed in accordance with the provisions of this regulation;

b) goods belonging to natural persons that are in customs custody on the date this regulation goes into effect, after which the provisions of this regulation are applied.

Article 286. - The existing customs forms and registries on the date this regulation goes into effect are appropriately used until supplies are exhausted.

Article 287. - Annexes Nos 1-7 are an integral part of this regulation.

Annex No 2

The Conditions and Limits Within Which Natural Persons can Bring in or Remove Goods From the Country

I. General Provisions

1. The following categories of goods are not permitted to be brought into the country by natural persons:

a) automobiles that consume more than 11 liters of gasoline per 11 kilometers;

b) microbuses and other similar vehicles;

c) hunting or target practice weapons, as well as munitions for them;

d) bottles for liquified gas other than those for camping;

e) copying and duplicating equipment;

f) air conditioning equipment.

2. The introduction of the following categories of goods by natural persons is permitted only with the payment of customs duties in hard currency:

Type of Goods	Customs Duties Listed in the Schedule, Increased by (in percent):
a) Motorcycles up to and including a 125 cubic centimeter engine displacement	300
b) Mopeds, scooters and powered bicycles	300
c) Pieces and items of any type of furniture	300
d) Refrigerators	300
e) Sewing machines	300
f) Televisions	300

Type of Goods	Customs Duties Listed in the Schedule, Increased by (in percent):
g) Radios	300
h) Cooking stoves and ranges and other heating devices	200
i) Clothes washing machines	200
j) Vacuums	200
k) Bicycles	200
l) Rugs and coverings of any size	200
m) Boats, with or without motors	100
n) Boilers	100
o) Calculators	100
p) Radio-cassette players	100
r) Cassette players	100
s) Natural furs and clothing made from furs	100
t) Automobiles that consume less than 11 liters per 100 kilometers of gasoline or using other types of fuels - the customs duty:	100 percent of value

3. The minister of foreign trade and international economic cooperation can also establish prohibitive customs duties, in lei or in hard currency, for other categories of goods.

4. The introduction of the following categories of goods into the country by natural persons is permitted only with the payment of the duties listed in the customs tariff schedule or with the payment of increased customs duties to the levels established for each category of person:

a) Motorcycles with over 125 cubic centimeter engine displacement;

b) Auto-moto spare parts, component pieces and accessories;

c) Boat motors and parts for them;

d) Injectors for heating equipment;

e) Water pumps for household use;

f) Windows for household use that are operated by motors of any type;

g) Hot plates;

h) Freezers;

i) Presses for pressing clothes, for household use;

j) Dish wasing machines;

k) Knitting machines for household use;

l) Clothing from animal skins;

m) Typewriters;

n) Movie cameras;

o) Projection equipment;

p) Photograph enlarging and developing equipment;

r) Musical instruments of any type;

s) Tape recorders and video-recorders;

t) Record players;

u) Sound amplifiers;

v) Music machines (composed of at least three devices to record or playback sounds or pictures, of the same brand and that cannot operate independently, as components or in a single housing);

z) Goods with an individual value of over 10,000 lei.

Persons with their residence abroad pay customs duties only in hard currency.

5. The temporary introduction or transit of the categories of goods listed in points 1-4 are permitted in accordance with the norms outlined in the Customs Regulation.

II. Persons With Their Residence in the Socialist Republic of Romania

A. Workers Sent Abroad in the Interest of Their Jobs

6. Workers sent abroad in the interest of their jobs for a period of over 30 days can remove from the country without the payment of customs duties:

a) clothing, other personal articles and medicines necessary for the period of their stay, as well as study and documentary materials;

b) other goods of personal, family and household use, including furniture, on the condition that the durable goods will be declared in writing to the customs organs so they can be brought back into the country without paying customs duties;

c) gifts worth up to 500 lei in total.

7. Workers sent abroad in the interest of their jobs for a period of over 30 days can bring back into the country without paying customs duties:

a) the goods removed from the country listed in point 6;

b) articles of clothing, footwear and articles of household use acquired and used while abroad;

c) articles of clothing, footwear and articles of household use acquired abroad whose total value does not exceed 10,000 lei.

The goods listed in letters b) and c) are permitted only if they are other than those listed in points 2 to 4 and only if they are in reasonable quantities that do not exceed personal, family or household use.

The exemptions outlined for the goods in letter c) are permitted only once during a mission, on the basis of a statement issued by the unit that sent the people abroad. The units in the country that send personnel abroad are required to keep records and to issue only a single statement during the time of the mission.

In other cases, where workers bring in to the country during the period of their mission those goods listed in letter c) and for those goods found in their accompanying baggage, exemptions are applied as outlined for tourists, while for unaccompanied goods customs duties are applied in accordance with the Customs Regulation.

8. Workers sent abroad in the interest of their jobs for a period of over 30 days can bring back into the country, with the payment of customs duties, the following limits:

a) goods whose total value does not exceed 10,000 lei, with payment of the customs duties outlined in the customs tariff schedule;

b) goods whose total value is between 10,001 and 20,000, with the payment of customs duties increased by 100 percent;

c) goods whose total value exceeds 20,000 lei, with the payment of customs duties increased by 200 percent.

9. Workers sent abroad in the interest of their jobs for a period of up to 30 days can remove from the country, without the payment of customs duties:

a) clothing, other personal items and medicines necessary for the period of their stay abroad, as well as study and documentary materials;

b) gifts worth a total of 300 lei.

10. Workers sent abroad in the interest of their jobs for a period of up to 30 days can bring back into the country, without the payment of customs duties:

a) the goods taken out of the country listed in point 9;

b) articles of clothing, footwear and articles of household use whose total value does not exceed 5,000 lei. For personnel who work on transport vehicles used in international traffic and oceanic fishing vessels, the level is 2,000 lei, while for those personnel sent abroad for a period of up to 5 days the limit is 300 lei.

The goods listed in letter b) are permitted only if they are other than those listed in points 2 to 4 and if they are transported as accompanied baggage.

11. Workers sent abroad in the interest of their jobs for a period of up to 30 days can bring back into the country, with the payment of the customs duties listed in the customs tariff schedule, those goods whose total value does not exceed 5,000 lei. Goods over this limit are not permitted to be brought back into the country.

12. Goods of Romanian origin purchased abroad by workers in the sales stores of Romanian foreign trade enterprises that operate according to the law, can be brought back into the country with out the payment of customs duties, on the basis of a purchase invoice which states the origins of the goods.

13. Workers sent abroad in the interest of their jobs can bring back into the country, without the payment of customs duties, those goods purchased for hard currency, according to legal norms, from the units authorized for this purpose that operate at border points.

14. The provisions of points 6 to 13 are applied to workers sent abroad to carry out certain service duties, including those workers who carry out their jobs on transport vehicles used in international traffic and on oceanic fishing vessels, workers sent to work at enterprises or organizations located abroad, persons sent for studies, special training or additional training, and other persons who earn legal hard currency incomes abroad as a result of their activities.

B. Tourists

15. Tourists can remove from the country, without the payment of customs duties:

a) clothing and other objects, as well as medicines necessary for the length of their trip, keeping in mind all the conditions of the trip;

b) a camera and 24 cassettes or 10 rolls of film;

c) a portable radio-receiver;

d) a tent and camping equipment, as well as the usual sport items;

e) other normal goods for a trip, on the condition that the durable goods be declared in writing to the customs organs so they can be brought back into the country without paying customs duties;

f) gifts in the accompanied baggage, with a total value of 1,000 lei.

16. Tourists can take out of the country, with the payment of customs duties, those goods whose total value does not exceed 500 lei and with the payment of customs duties increased by 100 percent, and goods whose total value does not exceed 5,000 lei.

17. Tourists can bring back into the country, without the payment of customs duties:

a) the goods taken out of the country, under the conditions in point 15, letters a) through d);

b) goods acquired while abroad, placed in the accompanying baggage, within the limits of a total value of 2,000 lei, other than those listed in points 2 to 4.

18. Tourists can bring back into the country, with the payment of customs duties, goods within the following limits:

a) goods whose total value does not exceed 5,000 lei, with the payment of the customs duties listed in the customs tariff schedule;

b) goods whose total value is between 5,001 and 10,000 lei, with the payment of customs duties increased by 100 percent;

c) goods whose total value exceeds 10,000 lei, with the payment of customs duties increased by 200 percent.

19. In the case of tourists who leave the country more than one in a month or who remain abroad no more than 24 hours, the provisions of point 48 are applied.

20. The provisions of point 12 also appply to tourists.

C. Persons Who Establish Their Residence in Another Country

21. Persons who establish their residence in another country can remove, without the payment of customs duties, the following goods:

a) as accompanied baggage: clothing and other articles necessary for the length of the trip; gold jewelry without precious stones, within the limit of 10 grams for each person 16 years of older, and silver objects within the limit of 20 grams for each person;

b) as unaccompanied baggage:

- goods of personal, family or household use, except for automobiles;

- tools and instruments of a professional use, on the basis of a statement which shows the type of profession.

The minister of foreign trade and international economic cooperation establishes the limits for the goods that can be removed from the country within letter b).

22. Persons who establish their residence in another country can remove, with the payment of customs duties, goods with a total value of no more than 15,000 lei.

III. Persons With Residence Abroad A. Tourists

23. Tourists can temporarily bring into the country, without guarantees for the customs duties, the following goods:

a) clothing and other personal articles, as well as medicines, that are needed for the length of their trip, keeping in mind all the conditions of the trip;

b) two cameras and 24 cassettes or 10 rolls of film for each camera, as well as a mini-camera and 10 rolls of film for it;

c) a pair of binoculars;

d) a portable radio-receiver and a portable television;

e) a device to record and play back sounds, with or without a device to record pictures and with or without a radio-receiver;

f) a portable musical instrument;

g) a baby carriage;

h) a tent and other camping equipment, as well as normal sports equipment, including a boat, a bicycle and two hunting rifles with 100 rounds for each rifle;

i) a portable typewriter.

When there are suspicions that the goods are not being brought in for personal use, the customs organs can request guarantees for the payment of customs duties, can retain or take other measures listed in the legal norms in effect.

Tourists can bring into the country, without the payment of customs duties, those gifts found in their accompanying baggage within the limits of a total value of 2,000 lei, other than those goods listed in points 2 to 4.

24. Tourists can bring into the country, with the payment of customs duties in hard currency, goods within the following limits:

a) goods whose total value does not exceed 5,000 lei, with the payment of the customs duties listed in the customs tariff schedule;

b) goods whose total value is between 5,001 and 10,000 lei, with the payment of customs duties increased by 100 percent;

c) goods whose total value exceeds 10,000 lei, with the payment of customs duties increased by 200 percent.

25. Tourists can remove from the country, without the payment of customs duties:

a) goods in the category of those listed in point 23;

b) goods purchased with hard currency;

c) gifts found in their accompanying baggage within the limits of a total value of 1,000 lei.

26. Tourists can remove from the country, with the payment of customs duties in hard currency, goods within the limits of a total value of 500 lei, as well as with the payment of customs duties increased by 100 percent, and goods whose total value does not exceed 5,000 lei.

27. In the case of tourists who enter the country more than once in a month or who remain in the Socialist Republic of Romania no more than 24 hours, the provisions of point 48 are applied.

B. Foreign Persons Traveling in the Interest of Their Jobs

28. Persons traveling in the interest of their jobs can temporarily bring into the country, without guarantees for customs duties, those goods listed in point 23, as well as goods of family or household use if these goods enter the country no more than 6 months after they came into the possession of their owner.

The release from customs of those goods of family or household use is done on the basis of a statement issued by the Romanian units or the foreign units authorized to operation in the Socialist Republic of Romania, where these persons are working. The bringing in of these goods beyond this timeframe is permitted only with the payment of the customs duties at the level outlined in point 30.

29. Persons traveling in the interest of their jobs can bring into the country during the period of their stay, either directly or through packages and without the payment of customs duties, goods, other than those listed in points 2-4, whose value does not exceed 4,000 lei per calendar year for each person of age and 2,000 lei for each minor, on the basis of certain customs document cards. For students, the level is 2,000 lei per calendar year.

30. Persons traveling in the interest of their jobs can bring into the country, with the payment of customs duties in hard currency, goods within the following limits:

a) goods whose total value does not exceed 500 lei, with the payment of customs duties listed in the customs tariff schedule;

b) goods whose total value is between 501 and 5,000 lei, with the payment of customs duties increased by 100 percent;

c) goods whose total value exceeds 5,000 lei, with the payment of customs duties increased by 200 percent.

31. Persons traveling in the interest of their jobs can remove from the country, without the payment of customs duties:

a) goods brought into the country under the conditions of point 23, with the exception of gifts, which are permitted within the limits of a total value of 500 lei;

b) goods listed in point 28 paragraph two, if they present an inventory or other document approved by the entering customs organs;

c) goods purchased with hard currency;

d) goods of personal, family or household use acquired with sums of lei that were legally obtained as income, bonuses, allowances, honorariums, stipends or other similar incomes. The total value of these goods cannot exceed 30 percent of the sums received.

32. Persons traveling in the interest of their jobs can remove from the country, with the payment of customs duties in hard currency, goods within the following limits:

a) goods whose total value does not exceed 500 lei, with the payment of the customs duties listed in the customs tariff schedule;

b) goods whose total value is between 501 and 5,000 lei, with the payment of customs duties increased by 100 percent.

The removal of goods from the country above these limits is not permitted.

33. The provisions of points 28, 30, 31 letters a)-c) and 32 are applied to persons who come into the Socialist Republic of Romania to carry out certain job duties or commercial transactions, studies, specialized training or additional training, and to persons employed at foreign units or organizations located in the Socialist Republic of Romania, as well as to persons with residences abroad who earn legal incomes in lei in the form of incomes, allowances, honorariums, food allowances, stipends or other similar incomes.

The provisions in points 29 and 31 letter d) are applied only to those persons who come into the Socialist Republic of Romania to carry out certain attributes listed in agreements, contracts or other arrangements concluded by the Romanian side (specialists, technicians, professors, students and so forth) and who are paid in lei by Romanian organizations or joint companies.

34. Persons who work on transport vehicles used in international traffic can temporarily bring into the country, without guarantees for customs duties, clothing and other personal articles, as well as medicines needed for the period of their trip.

35. Persons who work on transport vehicles used in international traffic can bring into the country, with the payment of customs duties in hard currency, goods whose total value does not exceed 500 lei, as well as with the payment in hard currency of customs duties increased by 100 percent for those goods whose total value is between 501 and 1,000 lei.

36. Persons who work on transport vehicles used in international traffic can remove from the country, without the payment of customs duties:

a) goods in the category of those listed in point 34;

b) goods purchased with hard currency.

37. Persons who work on transport vehicles used in international traffic can remove from the country, with the payment of customs duties in hard currency, those goods within the limits of a total value of 500 lei, as well as with the payment in hard currency of customs duties increased by 100 percent for goods within the limits of a total value of 1,000 lei.

C. Persons Who Establish Their Residence in the Socialist Republic of Romania

38. Persons who establish their residence in the Socialist Republic of Romania can bring into the country, without the payment of customs duties:

a) goods of a personal, family or household use;

b) transport vehicles with or without a motor; transport vehicles with a motor are permitted if they do not consume more than 11 liters of gasoline per 100 kilometers and if a document is presented that shows that it was the property of the person prior to establishing a residence in the Socialist Republic of Romania.

The provisions of points 2 to 4 are not applied in these cases.

39. Exemptions from the customs duties listed in point 38 are granted on the basis of a receipt issued by the organs of the Ministry of the Interior which shows the approval and the date of the definitive establishment of residency in the Socialist Republic of Romania.

Exemptions from customs duties are granted if the goods entered the country as accompanied or unaccompanied baggage during an interval of 6 months from the date of definitively establishing residency in the Socialist Republic of Romania. Goods that arrive prior to the date of establishing residency in the Socialist Republic of Romania can be released from custody, with guarantees for the customs duties, on the basis of a receipt showing that the owner had requested approval for establishing residency in the Socialist Republic of Romania.

IV. Goods Received or Shipped From the Country as Gifts by Means of Packages

40. Natural persons can receive from abroad, with the payment of the customs duties, goods within the limits of a total value of 5,000 lei and with the payment of customs duties increased by 100 percent for goods whose total value is between 5,001 and 10,000 lei. For goods that exceed these limits, customs duties increased by 200 percent are applied. Foreign natural persons pay these customs duties in hard currency.

41. Natural persons can receive goods from other natural persons abroad under the conditions of point 40 through the intermediary of certain foreign companies, with the anticipated payment of the customs duties in hard currency, within the framework of certain contracts concluded with these companies by authorized foreign trade enterprises.

The contracts concluded between the foreign trade enterprises and the foreign companies that ship the goods will state the goods that are allowed to be brought into the country in packages, according to the legal norms in effect in the Socialist Republic of Romania, and will note that the failure to adhere to these norms can lead to the cancellation of the contract.

42. Natural persons can ship out of the country in packages, with the payment of customs duties, goods that are gifts within the limits of a total value of 500 lei, as well as with the payment of customs duties increased by 100 percent for goods whose total value does not exceed 5,000 lei. Foreign natural persons pay customs duties in hard currency in the shipping of packages.

V. Final Provisions

43. In applying the provisions of this annex, one also keeps in mind the restrictions that can be established by the minister of foreign trade and international economic cooperation, according to the Customs Regulation.

44. The provisions of Annex No 3 are applied for the introduction or removal from the country of food products.

45. Workers sent abroad on long missions, as well as foreign persons that come into the country in the interest of their jobs, can ship upon their departure abroad, and through packages, goods that belong to them, with the exception of jewelry, under the conditions and within the limits of this annex and with the at-customs presentation of the border crossing documents or a receipt from the units to which the belong.

46. For Romanian personnel sent abroad in the interest of their jobs, family members can ship, via packages and without the payment of customs duties, objects of clothing, footwear and underwear necessary for the length of their stay abroad.

47. Goods belonging to Romanian tourists or foreign tourists shipped via packages are permitted without the payment of customs duties only if they are those listed in point 15 letters a), d) and e) or in point 23 letters a), g), h), i), as the case may be.

The sending or receiving of these goods is permitted on the basis of a border crossing document in the case of foreign tourists, a receipt or a trip ticket and so forth, that will attest that the person has crossed the state border and to the purpose of the trip in the case of Romanian tourists.

48. Romanian or foreign persons who travel within the framework of the low-level border traffic or who cross the border on the occasion of certain holidays, on the basis of understandings between the Socialist Republic of Romania and the neighboring countries, can bring goods in or remove them without the payment of customs duties, as follows:

a) clothing, footwear and other items of small value that are strictly necessary for the length of their trip, as well as medicines for their personal use;

b) gifts within the limit of a total value of 150 lei.

These persons can bring in or remove from the country, with the payment of customs duties, goods within the limit of a total value of 150 lei.

Romanian or foreign personnel traveling in the interest of their jobs, with the exception of those who work on transport vehicles used in international traffic, who work on the territory of neighboring countries or in-country, as the case may be, traveling repeatedly over a period of no more than 24 hours, benefit once a month from the low-level border traffic program.

49. Romanian or foreign natural persons who travel within the framework of certain agreements concluded between the Socialist Republic of Romania and the neighboring countries regarding the occasional crossing of the border can bring in or remove from the country, without the payment of custom duties, goods within the limits outlined for individual Romanian tourists or foreign tourists, as the case may be. These persons are not permitted to bring in or remove goods with the payment of customs duties.

The provisions in paragraph one are applied by the organs of the Ministry of National Defense when the crossing of the border is done at places other than the state border control crossing points or the low-level traffic points where the customs organs are operating.

50. Natural persons can bring into or remove from the country, without the payment of customs duties, jewelry of a personal use.

"Jewelry of a personal use" means objects of precious metals, with or without precious stones, within the following limits:

- for men: one wedding ring, two rings, one watch with or without a chain, one medallion with a chain, one tie pin, one pair of cufflinks, one pen and pencil set and two pairs of eyeglasses;

- for women: one wedding ring, two rings, one watch with or without a chain, two medallions on chains, two pairs of ear rings, two chains, one broach, one necklace and two pairs of eyeglasses;

- for persons up to 16 years of age: one ring, one watch with or without a chain, one chain, one medallion on a chain, two pairs of eyeglasses, while for girls, also one pair of ear rings.

In the case of the low-level border traffic, "jewelry of a personal use" means objects of precious metals, with or without precious stones, within the following limits: one wedding ring, one ring, while for women, also one pair of ear rings.

In the case of the persons listed in point 21, "jewelry of a personal use" means objects of precious metals listed in point 21 letter a).

51. Goods that are listed in point 2 that are brought into the country by natural persons or received in packages are not subject to the limits and increases established in this annex for goods permitted with the payment of customs duties.

52. The application of customs duties or increased customs duties is done only on the difference in the value that exceeds the permitted ceiling for exemptions or, as the case may be, the ceiling established for the payment of customs duties.

Increased customs duties are applied beginning with those goods that are subject to t e lowest custom duties.

53. The quantitative and value limits outlined in the Customs Regulation and in this annex are applied to persons for each transport, if it is not otherwise stated. "Accompanied transport" means the goods that a person takes along with himself in the same transport vehicle or which accompanies him in the same transport vehicle. "Unaccompanied transport" means the goods shipped and recorded in the same transport document.

54. The in-customs value is expressed by specific units of measure indicated in the lists of in-customs values, as communicated to the customs units by the General Directorate of Customs.

55. Goods exempted from customs duties belonging to works who work on transport vehicles used in international traffic and on oceanic fishing vessels, as well as those goods listed in point 29, can be recorded in the customs identification card. The model and the instructions for completing these cards are established by the General Directorate of Customs.

The customs identification cards for Romanian workers who work on transport vehicles used in international traffic are printed by the transport units where they work, while those for foreign personnel are printed by the General Directorate of Customs and distributed at a cost.

The model of the receipts that are issued of the purpose of applying the customs duties exemptions listed in this annex is established by the General Directorate of Customs.

56. The provisions in Article 57, letters f) through j) in the Customs Code are applied on the basis of certain documents that show the fulfillment of the conditions established for granting customs duties exemptions.

Annex 3

Norms Regarding the Removal or Introduction Into the Country of Food Products by Natural Persons

I. Persons With Residence Abroad

1. The food products that are listed in this point can be taken out of the country, with the payment of customs duties of 100 percent in hard currency, in the following amounts:

a) meat products and canned goods with or without vegetables - 150 grams;

b) chocolate candy - 150 grams;

c) imported tea - 50 grams;

d) alcoholic beverages (over 22 percent alcohol) - one liter;

e) wine, beer - two liters.

Food products other than the ones liste in paragraph can be taken out of the country, with the payment of the customs duties, but only within the limits of 50 lei.

2. The removal from the country of the following food products is not permitted:

- meat
- cooking oil
- wheat and corn flour
- sugar
- rice
- coffee, cocoa
- honey
- olives
- refined alcohol
- vegetables, fruits
- pepper and other imported condiments.

3. Crewmembers of ships under foreign flags can bring on-board, without the payment of customs duties, for their strictly personal use during the period of their stay in Romanian ports food products directly purchased from stores in lei stemming from the exchange of hard currency or from sums of lei received from shipping agencies, in the following situations:

- when the enterprise specializing in the supply of ships does not sell the products requested or the products requested are available in reduced amounts, or

- when an enterprise specializing in the supplying of ships is not operating in the port.

4. Food products can be brought into the country, without the payment of customs duties, within the limits strictly necessary for the stay of the transport on the territory of the Socialist Republic of Romania, including two liters of alcoholic beverages (over 22 percent alcohol), four liters of wine or beer and 200 cigarettes. Personnel from ships or aircraft can remove from the port or airport such goods worth, at the most, 50 lei for each trip into the city.

Food products that exceed the limits outlined in the preceding paragraph can be brought into the country, with the payment of customs duties, with the application of the limits corresponding to Annex No 2.

II. Persons With Residences in the Socialist Republic of Romania

5. The food products listed in this point can be removed from the country, without the payment of customs duties, in the following amounts:

a) meat products - 150 grams;

b) canned meats, with or without vegetables - 500 grams;

c) sugar, candy, chocolate - 200 grams;

d) flour products, biscuits - 250 grams;

e) coffee, cocoa - 50 grams;

f) alcoholic beverages (over 22 percent) - one liter;

g) wine, beer - two liters;

h) cigarettes - 200.

Food products other than those listed in paragraph one can be removed from the country, without the payment of customs duties, only within the limits of a value of 100 lei.

6. Socialist units, including foreign trade enterprises, can ship food products under the conditions of Council of State Decree No 162/1978, without the payment of customs duties, for workers sent abroad for the purpose of carrying out certain construction projects, assembly projects and other similar projects.

7. The quantities of food products that can be removed from the country, without the payment of customs duties, on an individual basis by Romanian service personnel working on railroad trains and vehicles used in international traffic, as well as on ships under the Romanian flag that operate in international waters, are as follows:

Type of Product	Quantities		
	Personnel Working on Railroad Trains (Romanian Railroads and Posts, Telegraph Telephone and Radio)	Personnel Working on Vehicles (drivers and riders), as well as Unpowered River Vessels	Personnel Working on Maritime Vessels (including oceanic fishing) and Powered River Vessels
1. Meat products	150 g/person/day	150 g/person/day	1000 g/person/trip
2. Canned meats	250 g/p/d	250 g/p/d	500 g/p/t
3. Edible cooking oil	25 g/p/d	50 g/p/d	---
4. Sugar, candy and chocolate	100 g/p/d	150 g/p/d	1000 g/p/t
5. Flour products, biscuits	100 g/p/d	100 g/p/d	500 g/p/t
6. Coffee, cocoa	25 g/p/d	25 g/p/d	15 g/p/day
7. Imported tea	10 g/p/d	10 g/p/d	---
8. Pepper and other condiments	5 g/p/d	5 g/p/d	---
9. Cigarettes	20 p/d	2[illegible] p/d	20 p/d
10. Other foods	75 lei/trip	100 lei/trip	200 lei/trip

The removal from the country of food products over these limits as listed in this point is prohibited.

8. For those food products where daily limits are established, the total quantity per person/day is established by the unit according to the length of the roundtrip travel, as recorded in the customs identification card.

9. Food products can be brought into the country, without the payment of customs duties, within the limits of what is strictly necessary for the length of the transport over the territory of the Socialist Republic of Romania, including two liters of alcoholic beverages (over 22 percent), four liters of wine or beer and 2-0 cigarettes.

For personnel on ships and aircraft, the limit for alcoholic beverages of any type is one liter.

Food products that exceed the limits outlined in the preceding paragraph can be brought into the country, with the payment of customs duties and with the application of the limits in Annex No 2.

III. Common Provisions

10. Persons that travel within the framework of the low-level border traffic or certain understandings with the neighboring countries regarding the occasional crossing of the border, as well as foreign tourists who enter the country more than once

in a month or who remain in the Socialist Republic of Romania for less than 24 hours, cannot remove food products from the country.

11. Food products cannot be shipped from the country in packages, with the exception of those listed in point 6.

12. Persons up to age 16 do not benefit from the customs duties exemptions listed in this annex for alcoholic beverages and tobacco products.

13. The limits outlined in this annex are applied to each person who crosses the border.

14. The removal of food products from the country above the limits outlined in points I and II is not permitted.

Annex No 4

A. The Customs Tariff Schedule for Goods Brought Into the Country By Natural Persons

Type of Goods	Customs Duty (percent)*
1. Electrotechnical products, including parts and accessories for them	20
2. Vehicles:	
a) Automobiles, specially adapted for use by ill or handicapped persons (with presentation of a medical certificate at the customs point)	50
b) Other vehicles	50
c) Spare parts, components and vehicle accessories	40
3. Sports articles and materials, games and toys, including mechanical and electrical ones, as well as parts and accessories	15
4. Textile or animal skin or fur products, including goods made from them:	
a) Synthetic fur or synthetic leather, including goods made of them	30
b) Others	50
5. Industrial or handicraft products, including parts and accessories for them, other than those in 1-4:	
a) photographic devices to enlarge and develop photographs, photographic and cinemagraphic films, slides and magnetic tape	20
b) Watches	20
c) Cosmetic articles and perfumes	40
d) Others	40

* For goods in point 2, Annex No 2, the customs duties are paid only in hard currency and are increased according to the provisions of that point. For other goods, customs duties are paid in lei or in hard currency.

Type of Goods	Customs Duty (percent)
6. Food products, including prepared or canned products, beverages and tobacco products:	
a) Prepared products	10
b) Tobacco and tobacco products	40
c) Alcoholic beverages of any type	50
d) Others	20
7. Other Goods	30

B. The Customs Tariff Schedule for Goods Taken Out of the Country by Natural Persons

For goods taken out of the country by natural persons, the customs duties are 20 percent of the value. The customs duties for the products noted in Annex No 3 are applied according to the provisions of that annex.

Annex No 5

Norms Regarding Determining the In-Customs Value of Goods Belonging to Natural Persons

1. In the in-customs value for goods brought into the country is determined by taking into consideration the level of domestic retail prices set for such goods or for goods having similar characteristics from domestic production or from import.

2. For goods whose in-customs value cannot be established according to point 1, the in-customs value is determined on the basis of the foreign price stamped or printed on the goods being evaluated, or in the absence of these prices using those listed in catalogues, brochures or other documents giving the foreign prices for such goods or goods having similar characteristics. These prices are converted into lei according to the provisions of this annex.

3. The General Directorate of Customs will complete lists of domestic retail prices or, as the case may be, lists of prices contained in catalogues, brochures or other foreign price documents for the purpose of the customs organs' determining the in-customs value of the goods. These lists will contain the prices of certain types of goods frequently brought into the country.

4. The list of catalogues, brochures and other documents on foreign prices will be approved by the Ministry of Foreign Trade and International Economic Cooperation.

The General Directorate of Customs can annually revise the lists of prices according to changes in prices that occur for these goods.

5. The determination of the in-customs value in lei, as established on the basis of foreign prices, is done at the rate for non-commercial operations in effect on 31 December of the preceding year.

For hard currencies for which a rate of non-commercial operations has not been established, these currencies are converted into U.S. dollars at the rate communicated to the customs organs annually by the National Bank of the Socialist Republic of Romania, after which they proceed to convert it into lei at the rate for non-commercial operations.

6. When the payment of customs duties is done in hard currency and the in-customs value of the goods brought into the country is established according to point 2, the customs duties listed in the customs tariff schedule are applied.

When the payment of the customs duties is done in hard currency and the in-customs value of the goods brought into the country is determined accroding to point 1, the value in lei is converted into hard currency in accordance with the provisions in point 5, paragraph one or two, to which the customs duties in the customs tariff schedule is applied.

7. Depending upon the intensity of the customs traffic and the variety of the goods brought into the country, the minister of foreign trade and international economic cooperation can establish a simplified evaluation procedure, including the application of the in-customs value unique to certain products or groups of products, for the purpose of clearing the goods belonging to natural persons through customs without delays.

8. The in-customs value of automobiles brought into the country for which the payment of customs duties is done in hard currency represents the retail selling price of the vehicle in the country of origin based on the year of production, as listed in the price books. In the absence of these books, the invoice price for a new automobile is taken into consideration.

The in-customs value of automobiles adapted for use by ill or handicapped persons, for which the payment of customs duties is done in lei, represents the price in paragraph one converted into lei in accordance with point 5, paragraph one and increased by 100 percent.

9. For goods brought into the country by natural persons, the transportation, insurance, packaging and handling costs are not included in the in-customs value and allowances and rebates of any type are not taken into consideration.

10. In in-customs value of goods removed from the country represents the domestic retail price, as established according to legal regulations.

In the absence of purchase invoices or vouchers, or if domestic retail prices have not been established for the goods, the customs organs determine the in-customs value by comparing them with goods having the closest characteristics that have a domestic retail price.

If the in-customs value cannot be established by comparison, the natural persons will present estimations by the selling unit, second-hand goods units or units of the Art Fund, as the case may require.

The in-customs value of the goods removed from the country for which customs duties are paid in hard currency represents the price of the goods listed in purchase invoices or vouches, when this is expressed in hard currency or the purchase price is converted into lei at the rate outlined in point 5 paragraph one. The customs duties listed in the customs tariff schedule are applied to this value.

Annex No 6

Norms Regarding the Customs List and the Determination of the Origins of Goods

I. The Customs List

1. The customs list used in the customs tariff schedule for imports contains the names of all the goods that are involved in international trade, classified by sections, chapters and positions according to their material nature, degree of processing, destination and operating principle.

2. The titles of the sections and chapters in the list have only an indicative value. The tariff level is determined in accordance with the text of the position and the explanatory notes of the sections and chapters in the list, on the basis of the general regulations listed in this chapter.

3. An incomplete or unfinished product that presents the essential characteristics of a completed or finished product is placed within the position in the list which refers to that product.

These provisions are also appropriately applied to the completed or finished product when it is in a disassembled or unassembled condition.

4. Comments regarding a material within a position in the list refer to this material, either in its pure state or mixed or association with other materials.

Any reference to a product made from a certain material concerns the product made completely or partially from this material.

5. When the product can be placed in two or more positions or subpositions, the placement is done according to the following:

a) the position or subposition that is the most specific has priority over those of a more general nature;

b) goods made from mixtures and items composed of different materials, whose placement cannot be made according to the rules in letter a), are placed according to the material or product that gives it its essential nature, when it is possible to make such a determination;

c) in cases where the rules in letters a) and b) point to a number of positions capable of containing a product, it is placed in the position with the highest number.

6. Goods that cannot be placed on the customs list according to the rules outlined in points 3 to 5, will be placed in the position or subposition of the most similar products.

7. When the specification of imported goods contains a large number of positions, the importer can propose, for economic reasons and with the approval of the user, the grouping of the goods under a restricted number of tariff positions. The proposals are submitted for resolution to the General Directorate of Customs.

8. The listing rules established in this chapter are also appropriately applied to the customs tariff schedule for goods belonging to natural persons.

II. The Determination of the Origins of Goods

9. In determining the origins of imported goods, the following criteria are kept in mind:

a) the criterion "of goods produced entirely in a country" when only one country enters into consideration in determining the origin;

b) the criterion "of substantial transformations" when two or more countries take part in the production of the goods.

10. The following are considered "goods produced entirely in one country:"

a) mineral products and other products obtained from the ground and underground of that country, including from its territorial waters, as well as from the ground and underground marine regions under its national jurisdiction beyond the limits of its territorial waters;

b) vegetal products harvested in that country;

c) animals born and raised in that country;

d) products obtained from animals in that country;

e) products obtained from hunting or fishing in that country;

f) products obtained from ocean fishing and other products extracted from the sea by ships of that country, as well as products obtained from on-board factory-ships of that country;

g) waste and refuse stemming from production and processing operations, as well as goods that cannot be used, collected in that country and which can serve only in the recovery of raw materials;

h) goods obtained entirely in that country from the products listed in letters a) through g).

Goods produced entirely in one country are considered as being from that country.

11. Goods produced in two or more countries are considered as being from the country in which the goods are subjected to certain substantial production and processing operations which confer upon them characteristics for placement in the customs tariff schedule at a different position from that of each of the materials used in making the goods.

12. Exceptions to the provisions in point 11 are:

a) production and processing operations which, although they require a change in the tariff position, are not considered as being substantial or are considered substantial only under specific conditions;

b) production and processing operations which, although they are considered substantial under specific conditions, do not require a change in positions in their placement on the customs tariff list.

The determination of the nature of the substantial operation is done by the customs organs, taking into consideration the production operation which gives the article its essential characteristics.

13. The accessories, spare parts and tools destined to the used on a machine, device or vehicle are considered as having the same origines as the machine, device or vehicle with which they are imported and normally sold, and they correspond in type and number to the usual equipment of these items.

14. Goods imported in a number of transport vehicles, in an unassembled state, are considered a single product for the purpose of establishing origins.

15. Packaging is considered to have the same origins as the goods that it contains.

In cases where the packaging is separately declared from the goods, the origins of this packaging will be established on the basis of the rules in this chapter.

16. In order to determine the origins of goods, the origins of energy products, installations, equipment and other tools used in production and processing of the goods are not taken into consideration.

17. "Substantial operations" are those operations in which the non-originating products give the finished product less than 50 percent of its value.

18. The following operations are not considered "substantial operations" and do not confer upon the product the status of a product originating from one country:

a) the marking, stamping or attachment of another distinctive name on the product or its packing;

b) the assembly of the pieces of a product in order to make a complete product;

c) the slaughtering of animals in a slaughterhouse;

d) the simple mixing of products, of different types or not, where one or a number of components of the mixture do not meet the legal conditions for attributes of origins;

e) the changing of the packaging and the separations and creating groups of goods;

f) the dusting, coloring, screening, sorting, classifying, pairing, washing, painting or any other simple finishing operation;

g) the ventilating, airing, drying, refrigerating, sorting or any other operation that ensures maintaining the goods in good conditions;

h) the packaging of goods;

i) the combination of two or more operations specified in letters a) through h).

19. In order to establish the origins of goods, the importing units present, upon the request of the customs organs, a certificate or origin in which the empowered authorities or organizations that can determine the origins certify expressly that the goods originate from a certain country.

The data that must be mentioned in the certificate of origin are established by the Ministry of Foreign Trade and International Economic Cooperation.

The certificate of origin is requested by the customs organs when it is necessary to impose differentiated customs duties according to the origins of the goods.

8724
CSO: 2700

CHANGES IN OPSTINA LC ORGANIZATION IN MACEDONIA

Belgrade BORBA in Serbo-Croatian 3 Dec 81 p 3

[Article by Dragan Nikolic: "Life Prompts New Solutions"]

[Text] Without a doubt, the Opstina conferences of the League of Communists have achieved significant results in their past work. However, the level of organization in places has not been satisfactory, above all because the opstinas have worked without adequate links to the party base and to the basic organizations. Because of this the activities of communists here and there have not been successfully integrated.

In programming and in establishing the content and the methods of work, the opstina conferences have done quite well in exceeding the forum activity. All topics, from economic stabilization to problems of internal communication and communication in general, have found a place both in the programs and in the activities of these conferences. Now there is the realization that in the past they were not sufficiently engaged in problems of education, culture, social policy, and the development of self-management relations. Experience has indicated, however, that some of these problems are essentially important for politics and security, such as education, and that others are of fundamental importance for total economic and social stabilization. These are problems of self-management, and political system development and especially delegate system development. Now, these areas are being given top-level priority according to what was said several days ago at the meeting of the Central Committee of the Macedonia LC. Weaknesses have been noticed in the activity of communists in self-management, political, and especially, the delegate system activities.

The Weaknesses Which Must Be Eliminated

In a pre-congress discussion which is being conducted, quite a few words have also been spoken about the role of the committee in implementing the tasks of the conference. Evaluations indicate that the committees, as political and executive organs of the conference, have been acknowledged as the agents which direct and coordinate activity. With a reduction in the number of members, the committee's action and collective work has become more effective. However, in some places more, in others less, the focus of the activity in the opstina has been transferred itself, whose organ it is. Taking into consideration that the conference

rarely has met in such conditions, the committee has gained in importance, its role and party authority have become stronger.

In the total scope of activity being developed in the opstina party organizations, activist groups of Communists and direct producers occupy an important place. They have significantly contributed to strengthening the class and revolutionary party direction, they have discussed many important questions of economic, political, and self-management development.

Here, for the most part, there should not be anything which needs to be added or done away with. There is one thing, however, which is not satisfactory, their self-initiative. They have had a tendency to discuss what is offered to them to a greater extent than what they themselves have set in motion and proposed. This, of course, is one of the causes of passivity, both of some activist groups as well as of individuals in them.

In several opstinas, the party organization has not successfully achieved Communist unity. In these circumstances, self-management has not been developed, but factionalist activity and the struggle for power have broken out. In these circumstances, most often communication between social and political organizations has not been achieved, there is also disunity in associated labor. Self-management becomes a matter of mere form in most cases, and it is then understandable that there is so much legal arbitration. There are also similar occurrences in some organizations of associated labor. In some places this type of activity is overcome (Combined Agricultural-Industrial Farm "Prilep") and in others it gets out of control (Surgical Clinic in Skopje).

It is alleged that communication of information has not been satisfactory. At one meeting of the Commission for Organization and Development of the Presidency of the Central Committee of the Macedonia LC, which was discussing the activity of the opstina organizations, it was noted that from the opstina more information was coming in concerning the fact that there were no detergents, or that some raw materials were in short supply, than information about actual political conditions.

Directions of Change Are Delineated

In party organizations in the opstinas, past experience is being used to improve the present. On the basis of these discussions, as on the basis of decisions recently made by the Central Committee of the LCY, a decision has been prepared concerning important innovations in the organization of opstina organizations of the Macedonia LC, which will be proposed to the Central Committee on December 10. A new format will be introduced by this decision: the opstina conference, as the highest party forum in the opstina, will meet every four years to evaluate the work of Communists in the preceding period. It is to be composed of delegates from the basic organizations, and it will pass a program of work for the following period and choose an opstina committee which will be the highest organ of the party organization. The opstina committee will choose the presidency from its ranks which will be a collective, political and executive organ, as well as a president of the opstina committee. The presidency will choose a secretary from its ranks and an executive secretary from the composition of the committee.

The number of members in the committee and the presidency, as in the commission for statuatory questions and supervision, will be established by decision of the opstina conference in agreement with the Presidency of the Macedonia LC.

Elections for the delegates of the opstina conferences will be held in February of next year, and the selection of the organs will be carried out a month later.

With good reason, it is expected that after these changes the conditions will be provided for greater ideological and working unity of Communists in the opstina, and with this a greater effectiveness in their political activity as well. With these changes, one of the former inconsistencies will be eliminated also, the fact that the opstina conference itself submits the reports on its activities.

9548
CSO: 2800

NEW LC ORGANIZATION IN VOJVODINA OPSTINAS

Belgrade BORBA in Serbo-Croatian 3 Dec 81 p 3

[Interview with Marija Zvekic Miskolci by Slobodan Stanojevic of BORBA Conferences," place and date not given]

[Text] On the basis of the authority given in the last meeting of the Central Committee of the LCY, preparations are quickly being made in the Vojvodina LC in order to create new, highly modified forms of organization and activity of the LC in 50 Vojvodina opstinas not later than 15 January of next year.

The essential changes consist of the following: the opstina election conference is being organized as the highest party forum in the opstina, and the opstina committees will take on the role of the former, often criticized, opstina conferences between the two election conferences. Its former role as the executive and political organ of the LC in the commune now is "bequeathed" to the presidency of the opstina committees.

"With the new manner of LC organization in the opstinas it is necessary to create conditions to enable all basic organizations and the total party membership to have greater influence in the creation of party policy and in establishing the priority of assignments in the opstinas, as well as to work more successfully in carrying out mutually agreed upon working goals," said Marija Zvekic Miskolci, member of the Presidency of the Provincial Committee of the Vojvodina LC, and president of the Commission of the Presidency of the Provincial Committee of the Vojvodina LC for the Development, and the Ideological, Political, and Organizational Construction of the LC, in an interview with BORBA.

A Small "Party Congress"

[Question] In what way will these changes be brought into party work? Responding to this question, Maria Zvekic Miskolci says:

[Answer] Up to now, the opstina conferences themselves have, in practice, evaluated their own work during the last mandate, and have themselves established the program for future tasks. Both one and the other were carried out without the broader influence of the party membership. This time it is necessary to make an important change: the establishment of an opstina election conference which will, in essence, be a small opstina party congress; it is necessary to

conditions so that practically the entire party membership is included in the evaluation of past work and in the establishment of the subsequent work program. Because the election conference will be made up of delegates from all basic organizations of the LC in an opstina, this means that discussions concerning these documents will have to be conducted beforehand in all party organizations. In other words, what has been done will be evaluated, and what is to be done will be agreed upon with a broader and more unified point of view.

These election conferences, as the highest party forum, will be convened every four years. In these conferences, a report on the work of the opstina party organization and its organs during the past four year period will be received, the program bases of the ideological and political activity of Communists for the next four years will be established; the opstina committee will be chosen, as well as the commission for statuatory questions, the supervisory commission, the delegates for the party conferences and congresses, and candidates will be nominated for offices in the organs of the LC of Vojvodina, the LC of Serbia, and the LCY. The new manner of organizing the election conferences and the sphere of activity of its work is necessary, as might be expected, in order to provide for broader and more democratic discussions in the opstinas concerning total party involvement and conduct.

We expect that in this way the organization of the opstina election conference, with delegates from all basic organizations, will provide a great deal of stimulation for the work of all party organizations. And in those places where there are several hundred basic organizations each in the opstina organizations, they will not be allowed to create a 'parade' from the election conferences, but a working group instead which, if necessary in order to provide for a broader, more democratic discussion of the delegates, can organize its work both in a plenum or by commissions. In other words, it is essential that mutual evaluations be concretely provided and unified agreement be established concerning future common working activity.

The New Role of the Opstina Committees

[Question] At the moment when the Central Committee of the LCY authorized the republic and provincial committees of the LC to implement changes in party organization, election activity was in full swing in the Vojvodina LC. In the basic organizations it had almost been completed. Moreover, the basic organizations had already chosen a number of members of the coming opstina conferences of the LC which were being discontinued by the new organization. Similarly, the process of reducing the number of delegates in the opstina conferences in Vojvodina was also underway; from the earlier number of 100, 150, and even more delegates, the opstina conferences had to be reduced to between 45 and 85 delegates.

Have the present changes "annulled" the election activity which had taken place up to now in any way?

[Answer] No, not in any case. since election activity is continuing in those places where it was going on. In other words, instead of the opstina conferences, opstina committees will be chosen in the future which will have at most 85 members. The delegates who were chosen up to now in the basic organizations for

the new structure of the opstina conferences will now, to a certain extent, change their "status"; that is to say they will become only candidates for future membership in the opstina committees. I say only candidates because the new opstina electi[illegible]nferences have the role of an election body, and they can either chang[illegible] pplement the proposals which have come from the basic organizations.

[Question] What will be the new manner of activity of the new opstina committees and their presidencies?

[Answer] We expect that with a structure of 85 members at the most the new committees will be much more mobile and effective in their work than the former opstina conferences, which were quite unwieldy. In addition, they will be convened more often during the year and thus will be able to conduct the activities of all Communists in the commune with greater success. Moreover, the opstina committees themselves will not be establishing the tasks to be worked on (which has been done up to now by the opstina conferences), because in practice they will be receiving them from the entire membership through the election conference. Similarly, we expect that the presidencies of the opstina committees (which "inherit" the former committees) as political and executive organs, will work with greater responsibility both before the committee and before the election conference, and this also means before the entire membership.

[Question] Which activities will especially gain in intensity?

[Answer] We strongly believe that these changes will not only contribute to the greater influence of the membership in the formation of party policy, but also will result in the greater presence of the party organs of the opstina in the basic organizations. When I say this I do not only mean the physical presence of members of the committee and its presidency, although it is necessary to develop this vital and direct contact to a much greater extent than it has been in the past, but above all in making the working connections stronger.

"We expect, then, that in the future the internal party connections in the opstina party organizations will be far more developed than they have been in the past. And this will be accomplished especially through formats which have been inadequately utilized up to now, the theme conferences, consultations, activity conferences, activist groups, and other forms. Until now, let us assume, the opstina conference did not usually organize an activity or a thematic conference concerning problems of great concern to all in the areas of culture, public health, education.... In the future, this should be able to be accomplished. Because we foresee that in our statuatory format, by which these problems will be regulated, instead of the expression "I can" for these forms of activity, we will insert the words "I promise."

In this way there will be greater responsibility of the opstina organs for the better utilization of all forms of active connection between the Communists of an opstina in order to solve the problems which are of concern to all.

Great Cadre Change

[Question] The new manner of organization in the Vojvodina opstinas will not, however, change decisions made earlier about cadre policy, or about the selection and the duration of the mandate of the basic cadres. Thus, the presidents of the opstina committees will be chosen from the ranks of the committee for one year, and cannot be chosen again for a period of four years. The secretaries of the presidencies of the opstina committees will have a mandate of two years, and the selection of the executive secretaries is possible for four years.

[Answer] The new presidents of the committees in all 50 opstina party organizations will be chosen at the end of this year and the beginning of the next, since the one-year mandate for all the former presidents expires at that time. Those secretaries who began the first year of their two-year mandate at the end of last year will, for the most part, be the only former secretaries of the opstina committees who will remain and occupy the positions of the future secretaries of the presidencies of the opstina committees, and because of the new elections the mandate will now be discontinued. All in all, these will be the great cadre changes which will include many new cadres in party activities from associated labor, prepared to struggle for the implementation of mutually established tasks in the LC.

9548
CSO: 2800

PRIMA DONNA MUNITIC REMINISCES ABOUT LATE PRESIDENT

[Editorial Report] Followers of the ups and downs of prima donna Gertruda Munitic will be pleased to learn from an interview in Belgrade ILUSTROVANA POLITIKA in Serbo-Croatian 8 December 1981, pages 42-43, that her operatic career has been going well. The Split soprano has regularized her private life, having married a Montenegrin who works at the Titograd radio station, but she can also be enigmatic: "Why am I not in Belgrade more often? I do not know, or rather I know, but let us pretend that I do not know, maybe it is better so. I have just been saying that time heals all."

Munitic is unstinting in her admiration for the musical perspicacity of the late President Tito, for whom she sang "frequently"--and no wonder, for her art "was able to impart the joy of living [zivotna radost] to him." President Tito's favorite song was "Far Away Is My Pearl of the Sea," from the Croatian operetta "Little Florami," by Tijardovic. Munitic describes President Tito as an outstanding connoisseur of music, who was "unfailingly capable of deciding what he liked" about a particular singer. "I once ventured," Munitic says, "to inquire what he esteemed in my singing. He thought that over for a while, and then he said, in exactly these words: 'Gertruda, you are the symbiosis [simbioza] of voice, diction and charm. You have combined all of those in your person, and that is why the whole world just has to see you.' I said to him next, 'Yes, Comrade President, that is a wonderful idea, and I would gladly go out into the wide world, but then who will sing for this own folk of ours?' Comrade Tito was silent for a long while. When he finally spoke up, he was very serious. 'Right you are! Sing for our folk and our folk will reward you. But whenever you can, represent this Yugoslavia of ours, even if only twice or three times a year.'"

No evidence is on the record as to the musical tastes of Mme. Jovanka Budisavljevic-Broz.

Munitic, who has repeatedly stated that she "becomes" the characters that she plays on stage, remarks at the conclusion of the interview that she is thinking of doing the Broadway musical "Evita."

CSO: 2800/178

HISTORIAN DEDIJER IS ATTACKED, DEFENDS SELF

Critical Commentary

Sarajevo SVIJET in Serbo-Croatian No 1224, 16 Nov 81 p 4

[Editorial by Zlatko Dizdarevic: "History From Below"]

[Text] It is not uncommon in one's life for a man to carry feelings in himself for days, to know where they come from and where they lead, to see their roots and the sap that feeds them, and yet perhaps be unable to fully express them in words, arguments or anything precise and tangible. Such are the feelings, pent up in our very being, our identity here, that have been appearing as we have returned countless times these past days to the pages of "Novi prilozi za biografiju Josipa Broza Tita" [New Contributions to the Biography of Josip Broz Tito], which truly is the book we are reading the most. It is well known that the book was written by Dr Vladimir Dedijer, member of the academy. A member of Russell's court. President Tito's biographer, as it is put. By virtue of its significant historical material, then, this is a book which will enrich the world with valuable new truths about Tito and about us ourselves, just as there has been much that was exceptionally important in what Dedijer has written up to now.

However....

Dedijer says, and he has every right, that history cannot be dressed up. That is true. And it is a good thing. Dedijer also says that "our society is pluralistic, there are diverse aspirations and diverse interests within it" in explaining why people take differing views of "Novi prilozi...." And that is true. Just as it is true that he is proud of having consistently followed Tito's devotion to the "idea of truth, justice and fairness." And he also says this: "I am very proud that I have written this book freely in my own country. I believe that I am the only man who has managed that, and I want other authors to win the same right for themselves...."

In a conversation with the member of Russell's court conducted a few days ago one was reminded that in gathering material for the book we are reading the most and which is "not a description of a Pharaoh, in which the tone and style of hagiographies is absent...," he was aided by Roosevelt's wife and the secret correspondence between Hitler and the Japanese and by pearls from the British

archives and documents from old Soviet cellars, but also by "an individual thought to be reliable," and by Rankovic, whom Dedijer knows to be "as cunning as water is wet," and by Djilas, there it is, was "hasty" in expressing an "adverse opinion about the wives of certain of our high Yugoslav leaders." That same Djilas of whom Dedijer even today, in 1981, says in the presence of foreign newsmen: "Here and now I still stand by the position I took in defending Djilas in 1954."

We are grateful to all of them for their services so that today we could have the book that is most read in the country. Dedijer probably will also express gratitude to that "reliable individual" who told him about Comrade Jovanka Broz's washing machine so that he could "put it into the book in order to arouse the reader's interest in the third and fourth volume which are to come." The member of Russell's court will be grateful to all those who made it possible for him to "feel a bit like Agatha Christie." Many will also be grateful to him for this book. But since "our society is pluralistic, and there are differing aspirations and interests within it," perhaps we might say, and forgive us if we say it with pride: Our interest is not the same as that of Mrs Eleanor Roosevelt, nor that of the British archives, nor that of Russian papers, nor indeed that of Rankovic and Djilas. Perhaps we have not yet reached that level of "historical distance" from Comrade Tito as to prove with our most private life, expressed through "reliable individuals" that we belong in the ranks of the "great" and "worldwide" newspapers and reviews. Who knows, perhaps we have not even reached that level of understanding of history so that today, just 1.5 years after Comrade Tito's death, as well as in the future, we do not think the most important thing is to pass on to the very young the reasons why Tito divorced Pelagija and, imagine how tragic it is, we do not reliably know how that happened, just as, pity, we do not reliably know certain other things which will be revealed to us in the volumes to follow by certain other "reliable individuals."

Most probably we will be accused of the blackest dogmatism for all this by those who do not understand that their own liberalism is a textbook example of dogmatism in our context, just as we have been accused because we have been "striking the angels of freedom and democracy" in condemning Djogo, for whom even Dedijer has found "understanding." Perhaps because his sentiment of a "love of freedom" is in line with the "theory of distance." Even though that distance amounts to only 1.5 years.

Let one thing be clear, history will not be altered depending on whether this thing or that thing is written about or not. Everything that should be known, let it be known and recorded. But, for pity's sake, are details about the private life the largest truths about a man who created history through his life and deeds, are the key pieces of evidence of his "magnanimity" in his letters to Davorjanka Paunovic? Is the truth about Tito's Yugoslavia in Dedijer's saying that he is "the only man who managed that and wants other authors to win the same right for themselves"?

Alongside Tito we have learned in this country certain other truths about attitudes toward people which perhaps do not conform with the criteria of the world archives and the reflections of certain "reliable individuals." Perhaps for that reason we are not great and worldwide in that we love in a bit different

way, so that we can say: Let history have its own in the books and archives. Let everything be recorded. But leave us our own understanding of love, of human greatness and of devotion. Without rummaging around and banalization in the name of a "history which cannot be dressed up." Which accounts for that feeling of nausea in the face of "history," which after all should serve man, and not itself, and particularly not sinister, luciferian and in a subtle way petty bourgeois motives. Least of all those who are opposed to the pillars of that history.

Discussion in Subotica

Belgrade ILUSTROVANA POLITIKA in Serbo-Croatian No 1205, 8 Dec 81 pp 24-25

[Account by Stevan Zec of a lecture delivered by Vladimir Dedijer at the Workers' University in Subotica: "I Ask Neither Forums Nor Friends"]

[Text] The large auditorium of the Workers' University in Subotica was packed. People were standing in the balcony and behind the last rows, there were two to a seat in some places, and there were people squatting along the wall. They even filled the lobby that leads into the auditorium. Many of them did not even see the speaker, the historian and member of the academy Vladimir Dedijer. But they could all hear him well. The sound system was first rate. Dedijer had come to Subotica to promote his book "Novi prilozi za biografiju Josipa Broza Tita" and the new edition of his old wartime "Dnevnik 1941-1945" [Diary 1941-1945].

"I came to Subotica on purpose both because this city is one of the centers of Hungarian culture and also because Tito's work is continued in practice and most obviously in communities like this where the lives of many nationalities are blended together. Tito is what is happening this evening," Dedijer said and turned to the wall behind the stage and indicated the slogan written in Serbo-Croatian and Hungarian, "Tito is that equality of languages."

Promotions of a writer's new book--in this case the book of a historian--are arranged so that the public can become personally familiar with the writer, can see him, and also so that the author can see those for whom he has written the book. Of course, there is also a commercial aspect, since after such meetings the writer usually gives autographs on copies of the book which have just been purchased. Meetings like this arouse attention, since the public expects to hear even what the writer did not wish, did not manage or did not dare to say in the book. For several hundred people of Subotica this was precisely such an occasion.

That same day, on Thursday, 26 November 1981, there was a meeting of the Information and Public Opinion Section of the Federal Conference of the SAWPY which debated the increasingly large scale of publishing activity related to the name and deeds of Josip Broz. It was said that this activity is often taking on undesirable characteristics, from the purely commercial to an unscholarly and superficial approach, which is evidence that the views and principles adopted on the use of the name and deeds of Josip Broz Tito are not being respected. It was said in this connection that not all the undertakings of publishing

organizations have been consistent in making the required evaluation of the quality and advisability of every work published. For example, the list of books published in the last 2 years which have been given some kind of public accreditation does not include Dedijer's "Novi prilozi za biografiju Josipa Broza Tita."

"You Will Earn Piles of Money"

The citizens of Subotica who went to see and hear Dedijer were not aware of this judgment, since the news was carried by radio and television only late that evening and by the daily newspapers the next day.

Vladimir Dedijer spoke in his introduction about his missions to Baghdad and Tehran where he went as a judge of the Russell court.

He told anecdotes about how there was never enough ink during the war, about how he could never be objective in assessing the movement of Draza Mihailovic because he has a wound in his knee from a Chetnik bullet, and other anecdotes already well known to a broad public of his fortunes and misfortunes while, as he put it, he was scribbler in the Supreme Staff of the National Liberation Struggle and Partisan Detachments of Yugoslavia. Straightaway, at the very outset of the talk, he said that he did not see well with his right eye, that he was rather deaf, indeed that he easily became excited and wept, and if that happened: "Forgive me," to which several voices responded in unison: "We forgive you in advance." However, this did not happen to Dedijer. He insisted that every member of the audience who put a question to him state his nationality and occupation.

"That is so that I can learn something from you as well, so that I can know who is asking me what and why," Dedijer said.

Vladimir Dedijer, who is skilled as a speaker, was able on that evening to arouse spontaneous laughter, tumultuous applause, but also audible resentment and disagreement in the audience, especially when he spoke about Milovan Djilas. During the discussion one could not escape the impression that Dedijer was actually not answering questions from the audience, but had sections of a speech prepared in advance which he arranged and delivered according to his own plan. For example, in response to a very concrete question: "Would you like to explain why you fell into political disfavor in 1954 and under what conditions you were rehabilitated in the mid-sixties?" Dedijer answered briefly, "All that is written in my book, read it, my lad...."

In response to the request: "Tell us something about the First Session of AVNOJ [Antifascist Council of the National Liberation of Yugoslavia] in Bihac, which began on precisely the same date in 1942," Dedijer answered:

"On 7 November 1942 in Bihac we celebrated the anniversary of the October Revolution. I went to Tito and asked him to sign his name in my diary. He signed his name, looked at me and said: 'Listen, Vlado, you will make piles of money after the war writing books about us and our revolution.' I did not think that we would ever get out of those hollows in Bosnia and thought that we would all

die there, but, of course, I never said that publicly. So I answered Tito: 'Listen, Old Man, I make a gift to you of all the royalties from the books I write after the war.' Tito laughed and told me to remember what I had said and that he would hold me to my word. When the war ended, I kept that promise, and I am still keeping it."

Often it was rather difficult to see the connection between Dedijer's answers and the questions; we will quote the most interesting passages of what he said....

"The uprising in Lika involved large numbers of people thanks to the activity of the party. A great deal of the credit for this goes to Comrade Jakov Blazevic. I do not say this because he is now in power, since it is well known that I have a habit of picking on those in power, but rather I say this because in the case of Lika it was important that the party manage to create an organization in almost every village. Jakov Blazevic was for years secretary of the CPY for Lika, so that certainly his role here is large. On the other hand, the uprising flared up spontaneously, since the people did not want to submit to the knives of the Ustashi, and the party was able and ready to lead a popular rebellion. How did the members of the party manage that? By applied ethics, that is, by personal example. The communists were the first in the assault, they were the first to go hungry, if it was necessary, they were the only ones to go barefoot.... Lika was the only area in Yugoslavia where the uprising and fighting were constant from 1941 to the liberation. Brotherhood and unity between Croats and Serbs developed there in the true sense. The bright example of Lika is still greater because in neighboring Kninska Krajina, where the party was not strong enough, in spite of glorious examples, there was a strong Chetnik movement, there were Ustashi, and there were devils of every stripe."

Institutes Curry the Favor of Forums

"Historical distance is not a theory of mine. This is the theory of all intelligent men, and above all of Josip Broz. When I wrote his first biography 30 years ago, he emphasized in a letter to me: 'You arranged and noted all the facts accurately, but for an overall evaluation of our struggle a certain historical period has to pass, and only then can the final conclusions be framed.' Tito himself said that the time has not yet come to publish certain things. These are events whose disclosure might threaten the security of our country or hamper our relations with certain states, especially the Soviet Union. As to when something should be published, I am not the only one who decides according to my conscience, but I have many friends who give me advice. I do not ask any forum, and I have even written that I am not writing this book jointly with any forum or with any individual. It is certain that not everything one knows can be published even now. Look at the practice in other states. In England there is a law whereby documents may not be published until 30 years have passed. In France the period is 50 years. For example, all the participants in the French resistance movement wrote a declaration on activity during the war. This has been sealed, and it must wait 50 years. Incidentally, Tito often said that only future generations would make a true evaluation and render a true judgment of our revolution. Even in his own collected works in 1977 Tito repeated that thought, but much more broadly and with more supporting arguments. In any case,

I have kept that letter of Tito's from 30 years ago like a deed. For me it is like an icon. At the same time we have various flatterers. Those flatterers feel that if they begin to praise and curry the favor of those in power, if they make pharaohs of them, that they themselves will derive some benefit and advantage. Various of our institutes of history which are writing so-called contemporary history are like that in that they curry the favor of people in power. Unfortunately, they are my fellow historians. They get money from the budget, from what is taken from the pay envelopes of the workers. They get nine-tenths of the money earmarked for the study of our contemporary history. And what do they do? By and large they give lectures on how to write. But not one of them has the guts to sit down and say: Now let's see and let's write it down. No, they only give lectures, they curry the favor of various forums--and that is their principal job. These people would swallow me down with a glass of water. And that suits me just fine! (Laughter in the auditorium) I am constantly imploring them not to praise me whatever happens....

"The historian must constantly check the facts of what he writes and then check them again. He should not even put much trust in himself. I once asked Comrade Tito: 'Now, Old Man, why do you give three different birth dates in your biography?' He said: 'Look here, Vlado, there were 15 of us kids, who was to know when each one was born?' On one other occasion Tito reproached me: 'Why did you write that I repeated the first grade of elementary school?' And I said to him: 'Go and look at the documents, Old Man, you did stay back, that's all there is to it." Then Tito said that enemy propaganda would take advantage of this as a political datum against him and Yugoslavia in general. 'Like hell they will,' I told him. 'Listen here, Vlado,' Tito said, 'you had it easy, you were a bourgeois child, your mother brought you hot cocoa in bed. But I was up before dawn to drive the cows out to pasture. I was on the lookout for the cow to shit so that I could step in that hot dung and warm my feet. I went to school after all that was done....' Then I said: 'Listen, Old Man, let me write all that down.' And Tito said with a wave of his hand: 'Go to hell, write what you want.' Tito was a great man, but he was also able to shout at me when I annoyed him. Then I would stay out of his way. He was sudden and could fly into a temper. After a day or two he would call me in: 'What did you mean by that?' Tito did not bear a grudge."

Dudic on an Empty Stomach

"On the occasion of the 40th anniversary of our revolutionary the original diary of National Hero Dragojlo Dudic was published. I found it and received tremendous and decisive aid in that task from the Yugoslav People's Army. I wrote in the preface of the original edition that that diary of Dudic's was the greatest and best historical witness of our war, since this was history from below, about ordinary people. At one point Dudic says: 'No food for anyone now for 2 days. The detachment came into a village, the peasants brought out food, I wouldn't know how to describe the quality of the food. It is a strict rule with us that the noncommunist Partisans eat first, then the Partisans who are members of the party, and then, if anything is left, the commissars, the commanders and the commanding officers.' So, you see, it was because of that approach to things that we were victorious in the war, that we drove out the occupier and changed social relations. On one occasion I was to say: 'Now, 40 years after the war,

this diary of Dudic's ought to be printed in an edition of 2 million copies and presented to every member of the League of Communists of Yugoslavia, and he should have to read it every morning on an empty stomach, before breakfast, like reciting Our Father who art....'" (Applause in the auditorium)

Ideologies Like Shirts

"There are no problems: just let everyone write his remarks about my book, and I will publish all that. Just as I have published what was said by Hebrang, Zujovic, Rankovic, Djilas and Ceca Stefanovic.... And that includes Blagoje Neskovic. And let Svetozar Vukmanovic Tempo write down his remarks. Even though some have made mistakes here and there, we are still all Tito's children, so let every one of us speak out and write it down, and let the people and the readers be the judges, pass the verdicts and act as filter. Let the people decide, but not political organs and forums by any means....

"I haven't read Tempo's talk in the Petar Kocic Library in Belgrade, which was published in ILUSTROVANA POLITIKA, but I heard something about his doing some writing. Let Tempo write that down and send it to me, and I will publish it in the new edition of my book....

"Djilas has written more about our revolution than any of us. Much more than I have. Djilas suffers a bit from a disease which has also infected me. We come from up in the hills, and that means that we are what are referred to as violent characters from the Dinarids. That means that we are accustomed to gaze on Lovcen Mountain, and we don't see anything lower down. We like to look at our busts and to polish them all day and enjoy ourselves. Djilas is sick with a disease called narcissism. (Hubbub in the auditorium and one member of the audience saying: "And surely that isn't all.") His writing about others is mixed, but when he starts on himself, he is like the male grouse, he sees only himself, and he tells such fat lies, you know, that it's a real wonder. In the mountains where we come from people lie so convincingly, the sun is so clear there, the imagination so lively, and you get to believing even your own lies, like a little child. And that's the case with Djilas. (Still greater clamor in the auditorium, and then that same voice asks: "What is this man saying?") Djilas says that he carried out an execution in Nova Varos on Tito's order, and I dug out Tito's letter which was sent to Djilas: 'Don't carry out executions, think it over. Every man means an entire life. Do not render a verdict solely on the basis of one fact or suspicion, but weigh everything and take the case before the company conference. Let it render the judgment. And then let the decision wait overnight. Only then, in the morning, if necessary....' SVIJET of Sarajevo is attacking me saying my book is pro-Djilas, and on the other side I received an article from a Chetnik newspaper in London NASA REC saying that my book is anti-Djilas. So now let them figure out what is actually the case." (Clamor in the auditorium: "How dare he compare one of our newspapers with an emigre newspaper?")

"Who set fire to the village Zagarac in Montenegro? Well, it was we who did it in 1942, and not halfway either. Now, Djilas lies through his teeth about Zagarac. He accuses Peko Dapcevic and I don't know who else for having ordered Zagarac burned. But I have Djilas' letter. Some people from the Niksic committee

said: 'Let us not burn Zagarac.' But Djilas interrupted them: 'This is not social democracy! I am issuing an order: Burn the village!' And now that same Milovan Djilas is a great Social Democrat. Actually he is to be pitied, he changes ideologies as I do my shirts. Actually he is a restless soul like Maksim Crnojevic." (Hubbub in the auditorium once again)

When he felt that he had satisfied the audience's curiosity, Vladimir Dedijer said:

"That is enough for this evening. Forgive an old man, he's tired...."

As the audience was leaving the auditorium, Dedijer came up to me:

"Tell Tempo, my boy, to write me about that, and I will publish it. Just let them attack me! The more they attack me, the better the book sells."

7045
CSO: 2800/161

PERSONS AMNESTIED, GIVEN REDUCED SENTENCES

Belgrade SLUZBENI LIST SFRJ in Serbo-Croatian No 64, 4 Dec 81 pp 1627-1628

[Order of SFRY State Presidency issued in Belgrade 25 November 1981 and signed by its chairman Sergej Kraigher]

[Text] On the basis of Article 315, Paragraph 1, Subparagraph 9, of the SFRY Constitution and Article 102 of the SFRY Criminal Code, and in relation to Articles 1, 2 and 5 of the Law on Clemency, the State Presidency of the Socialist Federal Republic of Yugoslavia has adopted the following

ORDER
On Clemency Toward Convicted Persons

I

The following convicted persons are released from serving the remainder of their prison sentences:

Dragos Dobrivoja Dragovic, Atif Uzeira Dzafic;
Dragoljub Ivana Gicovic, Ladislav Vjekoslava Goscak;
Fatima Himze Huseinovic, Safet Sulje Huseinovic;
Vase Gorgi Iliev, Enver Alije Ikovic;
Franc Ivana Jejcic, Emil Jozeta Jurkovic;
Zoran Miodraga Kalicanin, Karlo Ivana Kamenecki, Ibro Sinana Karic;
Adem Abida Lisica, Marko Djure Lisic, Dragic Vidosava Lovcevic;
Nenad Nikole Marketic;
Vladimir Miodraga Nedeljkovic, Petar Djure Nenadovic;
Hasan Ferida Pasic, Mirko Marka Prpic;
Ljubomir Djure Radulovic, Slavko Milosa Risticevic;
Smail Avdije Salesevic, Radovan Mihajla Savic, Simon Lazara Saveski, Branislav Djordja Senkovic;
Miroslav Jovana Visijan;
Dusko Jove Zivkovic, Azmi Sefketa Zuta.

II

The prison sentences of the following convicted persons have been reduced:

Barisic, Vinko Ivana, by 2 (two) years--from 20 (twenty) years to 18 (eighteen) years in prison,

Bojanovic, Blagoje Save, by 6 (six) months--from 3 (three) years to 2 (two) years and 6 (six) months in prison,

Dusic, Zivorad Radojka, by 6 (six) months--from 7 (seven) years to 6 (six) years and 6 (six) months in prison,

Filipovski, Jakov Marka, by 6 (six) months--from 2 (two) years to 1 (one) year and 6 (six) months in prison,

Furlan, Viktor Viktora, by 1 (one) year--from 6 (six) years to 5 (five) years in prison,

Gluhic, Senad Salke, by 6 (six) months--from 1 (one) year and 6 (six) months to 1 (one) year in prison,

Grbesa, Zlatko Vjekoslava, by 2 (two) years--from 14 (fourteen) years to 12 (twelve) years in prison,

Husic, Mirsad Hajrudina, by 6 (six) months--from 3 (three) years to 2 (two) years and 6 (six) months in prison,

Jasarov, Kadri Asana, by 9 (nine) months--from 4 (four) years to 3 (three) years and 3 (three) months in prison,

Jokic, Momcilo Radomira, by 1 (one) year--from 10 (ten) years to 9 (nine) years in prison,

Krasnici, Zenun Ramadana, by 6 (six) months--from 2 (two) years to 1 (one) year and 6 (six) months in prison,

Krizaj, Dusan Marjana, by 1 (one) year--from 3 (three) years to 2 (two) years in prison,

Mestrovic, Zelimir Vicka, by 2 (two) years--from 12 (twelve) years to 10 (ten) years in prison,

Mrvoljak, Husein Mehmeda, by 6 (six) months--from 2 (two) years to 1 (one) year and 6 (six) months in prison,

Pejic, Sreto Milosa, by 6 (six) months--from 1 (one) year and 6 (six) months to 1 (one) year in prison,

Pemic, Josip Ante, by 2 (two) years--from 15 (fifteen) years to 13 (thirteen) years in prison,

Pezerovic, Muhamed Huseina, by 6 (six) months--from 1 (one) year and 8 (eight) months to 1 (one) year and 2 (two) months in prison,

Smilevski, Konstantin Dimitrija, by 6 (six) months--from 4 (four) years and 6 (six) months to 4 (four) years in prison,

Stanic, Rajko Nevenka, by 6 (six) months--from 1 (one) year and 6 (six) months to 1 (one) year in prison,

Stojanovic, Djuro Mihajla, by 6 (six) months--from 2 (two) years and 6 (six) months to 2 (two) years in prison,

Saric, Nedeljko Petra, by 6 (six) months--from 4 (four) years to 3 (three) years and 6 (six) months in prison,

Tanasic, Zoran Stanimira, by 6 (six) months--from 5 (five) years to 4 (four) years and 6 (six) months in prison,

Useinov, Alija Zejnusa, by 6 (six) months--from 4 (four) years to 3 (three) years and 6 (six) months in prison,

Useinov, Kemal Zejnusa, by 6 (six) months--from 5 (five) years to 4 (four) years and 6 (six) months in prison,

Vlainic, Nenad Jove, by 6 (six) months--from 1 (one) year and 6 (six) months to 1 (one) year in prison,

Zuta, Dzemil Sefketa, by 6 (six) months--from 3 (three) years to 2 (two) years and 6 (six) months in prison.

III

The legal consequence of the sentence of prohibition of promotion is hereby terminated for the following:

Krstic, Dragan Predraga, imposed by verdict of the Supreme Military Court in Belgrade, No II K.155/80, dated 5 June 1980.

7045
CSO: 2800/162

END

END OF FICHE DATE FILMED

Jan 26, 82